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Housing Minister Binyamin Ben-Eliezer (center), Deputy Minister Eli Ben-Menahem, and aides leave yesterday's cabinet meeting.

Cabinet approves housing plan

THE cabinet yesterday approved the joint plan to reduce housing prices presented by Housing Minister Binyamin Ben-Eliezer and Finance Minister Avraham Shohat.

However, it is due to convene again on Wednesday to settle the issue of state-subsidized housing projects, on which the two ministers failed to reach agreement.

The approval was made possible after Ben-Eliezer removed a controversial clause from his plan. The clause concerned giving contractors reductions on land prices in exchange for their building lower-priced apartments for those eligible for housing assistance.

Shohat objects to state intervention in the housing market and has suggested the problem be dealt with by increasing mortgages for needy families.

The joint plan focuses on releasing large land reserves in the central region, for which public tenders will be issued for building at least 50,000 homes a year. The housing minister will decide on specific areas in which 25 percent of the buildings will be allocated to families eligible for government aid.

The contracts will commit to beginning construction within four months of winning the tender and to completion by a fixed date, to

MICHAEL YUDELMAN, JOSE ROSENFELD and LIAT COLLINS

prevent them from "hoarding" land until demand increases and prices go up.

The plan also authorizes importing 25,000 foreign construction workers and thousands of others from the territories; massive investment in infrastructure; speeding up the issuing of planning and building permits and unclogging bureaucratic bottlenecks created by the planning and construction committees.

Contractors will be eligible for up to NIS 10,000 a unit for completing projects in 18 months instead of 25 months. Ben-Eliezer said that incentives will not be given for luxury apartments built in exclusive neighborhoods in Tel Aviv, Jerusalem, or Haifa.

Ben-Eliezer vehemently denied renouncing his intention to provide subsidized housing, and said he will raise this issue at Wednesday's cabinet session. He insisted that "there is only an agreement [between me and Shohat] about one part, and we agreed upon that a long time ago. The heart of the plan is to allocate 25 percent of an entire high-rise apartment building to small, lower-priced flats earmarked for those eligible for Housing Ministry aid."

He also denied erroneous re-

ports that he had suggested giving land to contractors "free of charge," explaining that his plan consists of a 40 percent discount in exchange for building apartments of up to 80 sq.m., which would be allocated to single-parent families, the disabled, new immigrants, and other needy people.

Shohat disagrees with Ben-Eliezer's proposal to impose a set price of \$70,000 for the estimated 10,000 apartments for the needy, because since the land will be sold at a substantial discount by means of a lottery, this would actually provide a windfall to contractors winning the lottery.

"I am spearheading a purely social cause here," Ben-Eliezer said. "Can anyone be blind to the housing plight of the people in need, and of those families and young couples that will become needy cases in five years, if we don't solve it?"

"Being sensitive to social problems is not enough," he said, referring to Shohat's statement that he is sensitive to the social issues. "The question is what you do about it. And if we don't solve it now, we'll meet again in another year and cry about what we didn't do today."

Shohat and Bank of Israel Gov-

ernor Jacob Frenkel made a point of noting that the adopted plan did not include government construction or purchase guarantees, which they bitterly oppose as wasteful and economically inefficient, but which Ben-Eliezer wants.

Shohat said he is hopeful that the plan will be implemented, although previous attempts have failed. Unlike in the past, he said, Ben-Eliezer presented the cabinet with a detailed program which identified the land to be sold to contractors this year.

"None of the sites have archeological or environmental problems, therefore I am optimistic," Shohat said.

The cabinet also agreed to allow 13,000 construction workers from the territories to start working. Shohat hoped security conditions would allow more territory workers to come to work soon.

Environment Minister Yossi Sarid said construction permits for new neighborhoods or industrial areas will not be granted until detailed plans have been approved by representatives of the Health and Environment ministries.

"It's not possible to flood the center of the country with land for construction, because there is no

(Continued on Page 2)

Rabin: Only 'painful measures' can save Kupat Holim Clalit

JOSE ROSENFELD and MICHAEL YUDELMAN

PRIME Minister Yitzhak Rabin yesterday charged the Histadrut with "bringing Kupat Holim Clalit to bankruptcy" and warned that "painful moves" might be necessary to ensure its continued functioning.

Treasury officials said that even if the Knesset adopts the compromise national health insurance bill this week, the government will still have to intervene to pull the health fund out of its financial crunch.

Late last night senior officials were meeting at the Treasury to review the option of naming a temporary receiver for Kupat Holim Clalit. Finance Ministry spokesman Eli Yoseph said.

Finance Minister Avraham Shohat said he is very worried about Clalit's dire financial state, which is already affecting its ability to provide medications to its members. Shohat called on the Histadrut to honor its NIS 83 million in obligations to the fund under the 1993 recovery program. In addition, the Histadrut owes the fund NIS 150m. from the health insurance premium (*mas ahid*) it collected from its members this year.

If the Histadrut transfers those funds, the fund will be able to function for an additional limited period.

The speedy passage by the Knesset of the newest version of the national health insurance bill could improve Clalit's financial situation. However, it will not enable the fund to continue running without the Histadrut funding it is owed, said Treasury spokesman Eliseva Braun.

Under the compromise bill, which will be brought up in the Knesset this week, the National Insurance Institute will collect a 4.8 percent health tax on income, and an additional 0.8% to be used for "cultural activities" at the dis-

cretion of the health funds' owners - the Histadrut, in the case of Clalit.

Although Haim Ramon's Ram faction has asked the Treasury to delay any action until it takes over the Histadrut, Shohat said that Clalit's situation is acute and that the 70% of the population it insures cannot wait.

Shohat began consultations with Justice Minister David Liba'i, Attorney-General Michael Ben-Yair, the state attorney, and the official receiver to study all the options, including putting the fund into receivership.

Shohat emphasized that if the government appoints a temporary receiver, it would only be to stabilize and rehabilitate Clalit and not to break it up. However, a Treasury official has said a receiver could abrogate wage agreements and sell off property to keep the health fund running.

The Histadrut executive, however, blasted the government for trying to nationalize Kupat Holim and the health system under the guise of receivership. It vehemently rejected any government attempt, open or hidden, to take over Clalit.

Rabin's statement strengthened the fears among the Histadrut leadership that the government is planning to cut the services provided by Clalit. Clalit Director-General Avigdor Kaplan, who last week announced his resignation, said that during a recent meeting, Shohat suggested reducing the health fund's services as a way of cutting costs.

Kaplan, who spoke at the executive meeting, noted that the Treasury's suggestion to reduce health services will harm the weaker members of society.

The executive resolved to make every effort to solve the crisis, and adopted outgoing Secretary-General Haim Haberfeld's proposal to transfer NIS 180m. to the health fund - providing the Treasury does

the same. The Histadrut will raise the money by selling off assets, if the government gives the required approval. (See story, Page 8)

At a stormy meeting focusing on the crisis, Kaplan and Clalit chairman Prof. Dan Michaeli reviewed the situation. Michaeli said that had the government honored its commitments, the fund could have balanced its budget last year.

The main deficit, Michaeli explained, was caused by recent public-sector wage agreements, which unexpectedly raised expenses by 40%, or NIS 700m. In addition, the government raised hospitalization fees by 23%.

Haim Baranes, head of Clalit's workers' committee, said that if the government tries to dissolve Clalit by appointing a receiver, the workers will dissolve the government first. The fund, he said, "is an asset, not a burden. The government has not been giving any help."

"Why should the workers be made to pay for the management and government's shortcomings?" nurses' union leader Ilana Cohen said. "The nurses have not failed in their duty, as the managers have, and will take no pay cuts."

The Clalit doctors' union demanded the separation of the health fund from the Histadrut and rejected the possibility of receivership.

"We are not willing to pay the price of political failures... If the health fund's professional management failed to prevent political intervention and manipulation by Histadrut functionaries, there is no chance for a new management unless it is severed completely from the Histadrut and given independence," the union said.

The doctors will not cooperate with any receiver, it said, and "if any effort is made to harm our rights or wages, we will stop giving medical services to members."

Judy Siegel contributed to this report.

Labor committee approves Sneh as health minister

SARAH HONIG

THE Labor Party central committee approved the appointment of MK Ephraim Sneh as health minister yesterday, and also approved the Shohat compromise on the national health insurance bill, which it had rejected in January.

Sneh's appointment must now be confirmed by the Knesset.

Rabin, who said the vote for the new health minister was a vote of confidence in him, also refused to make an additional ministerial appointment from the camp of Foreign Minister Shimon Peres, saying that the Religious Affairs and Interior portfolios were "being held in held in trust for Shas should it choose to re-enter the coalition."

Rabin entered the gathering at Beit Berl in a very confident mood. "The appointment of a new health minister is my prerogative, and it is my decision, and only mine, with whom to consult. I consult with whomever I see fit," he said, alluding to the criticism of the fact that he did not clear Sneh's appointment with Peres.

"The responsibility is ultimately mine, and I think a full-time health minister is urgently needed in view of the terrible crisis confronting the Histadrut," Rabin added. "There is no one to talk to in the Histadrut and Kupat Holim Clalit is flat on its face. We can wait no longer."

As for the demand that he appoint another minister to compensate the Peres camp, Rabin bluntly said that "at this time there are no other portfolios available for distribution. I am keeping the interior and religious affairs portfolios in trust for Shas."

This was a slap in the face to Peres' "gang of five" - Yossi Beilin, Haggai Merom, Avraham Burg, Yael Dayan and Nawaf Massalha - who had hoped that either Beilin or Burg would be given a portfolio.

But sources in Labor say that the five are also upset with Peres himself, for not forcing the issue. Apparently, this was Peres's pay-

back for the five being sympathetic to MK Haim Ramon's challenge of Haim Haberfeld in the recent Histadrut elections.

The committee's swift approval of the health bill compromise, devised by Finance Minister Avraham Shohat, was a stark contrast to its agonizing deliberations at the end of January, when it rejected the compromise that could have saved it from defeat in the Histadrut elections.

Shohat's compromise calls for the collection of health insurance fees by the National Insurance Institute, with a small portion of them to be allotted, if applicable, to "cultural" projects run by the health fund's sponsor.

This last proviso is only applicable to Kupat Holim Clalit, and is meant to fund the Histadrut's administrative bills. The three other health funds have announced that they will earmark all monies collected to health-care services.

Ramon has already welcomed the compromise, though he has called it "too late and too little."

Hamas promises to stop killing 'collaborators' if Palestinian Police takes care of them first

JON IMMANUEL

HAMAS distributed a leaflet in Gaza yesterday in which it promised to stop killing Palestinians allegedly cooperating with Israel if the police can do a better job of stopping the "collaborators."

The leaflet said "The movement has stopped killing collaborators for the time being, to give the Palestinian police an opportunity to fulfill its role."

The implication was that the police should either arrest people Hamas considered collaborators or let Hamas deal with them.

The mujahadeen consider

themselves in perpetual jihad with the occupation," the leaflet said.

The announcement was made two days after two Palestinians were found hanging from lampposts in Gaza City, with a Hamas notice on their bodies claiming responsibility.

They were the first Palestinians murdered as "collaborators" since a one-month agreement between Fatah and Hamas to suspend such killings expired on May 22.

Meanwhile, although the Palestinian Police is reportedly already suffering financial problems, some 4,000 local applicants for police jobs visited recruiting offices yesterday. Some 300 more policemen are expected from Algeria, to boost the current Gaza force of 2,600.

Dr. Ahmed Tibi, the personal adviser to PLO Chairman Yasser Arafat, visited Gaza yesterday and met with Gen. Nasser Yusef, the head of the Palestinian Police, and

security chief Mohammed Dahlan. Tibi warned later, "If the donor countries do not give money immediately to the Palestine Authority, this will lead to the collapse of institutions within days."

A reported \$19 million has been given so far, compared to the hundreds of millions of dollars the Palestinians had expected.

In Jenin, in northern Samaria, marchers protested the closure of the territories because they could not work. Some marchers criticized Arafat for neglecting them for Gaza and Jericho.

Palestinian radio equipment tied up in customs dispute

JON IMMANUEL

TWO weeks before Yasser Arafat's planned visit to Jericho, the Palestine Broadcasting Authority's German radio equipment remained in a Ben-Gurion Airport warehouse because Palestinians do not want to pay Israeli customs charges.

"It makes me boil," said Radwan Abu Ayyash, director of the PBA, who has been on the phone to Israeli officials all week trying to get it released from the warehouse where it is incurring NIS 1,000 a day in storage charges.

"We have equipment coming from Germany, France, Amman - all donated. One of our demands

in the Cairo talks was that all donations should be tax-free. Donations to charitable institutions were always tax-free. We don't have the money to pay for it," he said.

Maj. Elise Shazar, the civil administration spokeswoman, offered no solace. "Even if the radio equipment was charity, it could be taxed, just like a consignment of Korans recently donated by Jordan, which was held up at the [Allenby] Bridge for weeks."

The way things stand now, the PBA, which is issuing press cards at NIS 25 for journalists to cover

Arafat's, will not itself be broadcasting the historic moment. That would be a blow to Palestinian pride.

"They know the Palestine National Authority is squeezing me on this," Abu Ayyash says of the Israelis.

In addition to the stored equipment, the PBA still remains without a frequency on which to broadcast. It also needs a license to operate and expand the existing broadcasting towers in Ramallah, which have been nonoperational since 1967.

In the Cairo talks on civil af-

fairs, Israel permitted the Palestinians broadcasting rights, but exactly which frequency and where the broadcasting facilities would be were left to be settled later.

Abu Ayyash estimates it will take 10 days to set up broadcasting facilities once Israel gives the go-ahead, and Arafat is expected in 12-17 days.

"I feel this delay is a clear violation of the agreement," he said.

Hannie Yeshurun, spokeswoman for the government coordinator in the territories, said regular meetings are taking place with the Communications Ministry and civil administration officials to reach a solution.

Unrepentant Erich Honecker dies in exile in Chile

News agencies

SANTIAGO - Erich Honecker, who supervised construction of the Berlin Wall and ruled Communist East Germany with an iron fist for 18 years, died yesterday in Chile. Honecker, 81, spent his final days

in Chile, bitter in self-imposed exile and unrepentant about his brutal regime.

Honecker had lived in seclusion with his wife and daughter's family since January 1993, when judges in Berlin ruled he was too ill with liver cancer to stand trial for manslaughter.

The charges were brought in connection with the deaths of people trying to escape to the West

over the Berlin Wall. The court freed Honecker from jail and said he was not likely to live more than six months. He had been admitted to hospital at least twice since arriving in Chile.

In January 1989, Honecker, a coal miner's son, predicted the Berlin Wall would last for a century. But within two years, Honecker had been ousted from power, saved by liver cancer from a

near-certain conviction in a Berlin court.

The peak of his political career came in September 1987, when he visited West Germany and received the protocol honors of a foreign head of state.

During the much ballyhooed stop in Bonn, Honecker said East Germany and West Germany could not be unified because "socialism and capitalism can no more be united than fire and water."

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Tsur demands debate on Gaza produce-smuggling

THE increased smuggling of produce from the territories, including by merchants using *shmita* (the sabbatical year) as an excuse to bring in more fruits and vegetables than required by the haredi community led Agriculture Minister Ya'acov Tsur to raise the subject with the ministry's policy making level yesterday.

The meeting also discussed Tsur's decision not to allow produce from Palestinian self-rule areas into Israel until Israeli farmers are assured of compensation for expected price drops, the Agriculture Ministry said.

Under the peace agreement signed this month, Israel was to allow free movement of nearly all

News agencies

farm produce from the Gaza and Jericho.

But ministry spokesman Ronny Hassid said Tsur is demanding that the government approve a 20 percent subsidy to farmers before he would let in Palestinian produce.

"The minister will not allow produce from the autonomy until compensation is approved, because we believe that the moment the gates open, there will be a drop in market prices," Hassid said.

He said Tsur, who would propose the compensation plan to the cabinet this week, was press-

ing for strict inspection of animal and plant produce to prevent introduction of diseases.

Under the accord, all Palestinian produce except eggs, poultry, tomatoes, cucumbers, and potatoes were to enter unrestricted.

Hassid said the subsidies would help Israeli growers convert their farms to more lucrative export crops or to industry.

Though most Palestinian produce from the West Bank and Gaza Strip has long been banned from Israel, officials have never succeeded in curbing a flourishing smuggling trade that Israeli farmers fear will increase under self-rule.

Gaza-Jericho accord has far-reaching effects on Israeli Arabs, say security officials

ALON PINKAS

THE peace process in general, and the Gaza and Jericho self-rule accord specifically, will require Israel to conduct a thorough and serious overall debate on the implications it has on Israeli Arabs, said senior army and security officials following a closed meeting on the subject held last week.

Senior army officers, General Security Service officials, government officials, and civilian experts on Israeli Arabs participated in the meeting last Monday, which was convened by the GSS.

The army representatives said that the IDF should not be a part of the debate, nor is it the army's business to deal with the issue, since it touches on a very sensi-

tive political and social issue which takes place inside the Green Line.

Other participants from various security branches said that Israel will have to redefine and re-evaluate the relationship between the state and the Arab minority. Israeli Arabs comprise approximately 16 percent of the general population, or almost 800,000 people.

In the meeting, some of the speakers warned of increased identification between Israeli Arabs and the Palestinian autonomy, as well as a rising tide of nationalism in the Arab sector in Israel. They attributed these develop-

ments to a perennial lack of funding for Arab municipalities, deteriorating infrastructure in Arab towns and villages, perceptions of being regarded as second-class citizens, and a reaction to some Israeli political circles which periodically call into question the Israeli Arab's loyalty to the state.

Nevertheless, some experts in the meeting felt that while the Israeli Arabs are proud of the achievements made by the PLO and are optimistic that their status will improve as an indirect result of the accord, they would not consider living in the autonomous territories or in a future Palestinian state, and are confident that their civil liberties and rights are better upheld in Israel.

Benizri: Settlers have turned me against them

HERB KEINON

SHAS MK Shlomo Benizri, who claimed to have been harassed by Ma'aleh Levona residents protesting in front of his house Friday, said these protests have turned him into a settlement-hater.

"Until now I tried to help the settlements," Benizri said on Israel Radio yesterday. "Now they have acquired a hater in the coalition. They spat at me, kicked me. My 65-year-old father, who with difficulty was extricated from the scene, said he felt as if he were being chased by a lynch mob in Jabalya."

About 30 Ma'aleh Levona residents, holding a week-long anti-government protest in the capital following the murder of Ma'aleh Levona resident Margalit Ruth Shohat, held two demonstrations in front of Benizri's home in the capital's Shmuel Hanavi quarter on Friday. Another demonstration was held last night.

According to Benizri, "They

came to my quiet neighborhood, did not try to speak to me, and began making noise with whistles and microphones. They did not allow me to get into my car. They sat on my car and began hitting it and cursing."

Benizri said the crowds came back in the afternoon before Shabbat, and followed him to the Western Wall, where the shouting continued. "At the Western Wall Plaza, those idol worshippers — those worshippers of the land for whom only the land, and not their fellow man, is important — jumped at me in full view of the gentiles at the Wall and shouted 'traitor, murderer, Hamas, PLO.'"

According to Benizri, "Those people have gotten it into their mind that the land is the highest value. Why during the period of the Likud did they not demonstrate like this after every attack? Because then the land was not in

question. The land is what pains them, not blood. Land, land, land. That is what they were indoctrinated with in National Religious Party schools."

Gadi Ben-Zimra, spokesman for the demonstrators, denied that the protesters struck or spat at Benizri. He said they did, however, shout slogans such as "Not everything is worth money," and "There is something called Eretz Yisrael in the world." He said the shouting "came from the deep pain that people feel."

According to Ben-Zimra, Benizri threatened one of the demonstrators, telling Ma'aleh Levona resident Ofir Goldstein, "I will get even with you."

Ben-Zimra said the group demonstrated in front of the house of Shas head Aryeh Deri on Thursday night, and are targeting the Shas MK's to protest "that their entire decision making process is based on money, and is in opposition to Torah values."

Saddam Hussein takes over as prime minister

BAGHDAD (Reuters) — Iraqi President Saddam Hussein sacked his prime minister yesterday and took over personally as head of a new government to tackle a grave economic crisis, the official INA news agency announced.

The ruling Revolution Command Council (RCC) said the change was needed because of the "unjust [UN] embargo and the need for special effort on economic issues to protect the living standards of the people."

With sorrow we announce the passing of BARUCH ILAN (Bert Eulau)

The funeral will take place today,
Monday, May 30, 1994
at 4 p.m. at Gedera Cemetery.

The Family

To Naomi Fischer and Family
Deepest sympathy on the death of

GERALD ג'רלד

Dave Blumberg
and all the Staff at Anglo-Saxon
Herzliya Pituah



The Chairman, Executive and Staff
of the S.A.Z.F. (Israel)

mourn the passing of

GERARD FISHER

Our heartfelt condolences to his
wife, Naomi, and family.

An End to Her Suffering.

RACHEL REICH

has passed away.

The funeral will take place at
Kibbutz Sha'ar Ha'amakim Cemetery on
May 30 at 5 p.m.

We will meet at the entrance to the cemetery.

Begin demands Palestinian Police hand over alleged murderer

Jerusalem Post Staff

MK Binyamin Begin yesterday demanded that a member of Islamic Jihad arrested by Palestinian Police be handed over to Israel.

Hani Abed was arrested in the Jabalya refugee camp two days ago, and unconfirmed press reports said he may have been one of the gunmen who shot and killed Staff Sgt. Moshe Bukra and Cpl. Erez Ben-Baruch at the Erez checkpoint 10 days ago. Islamic Jihad took responsibility for the killings.

Israel Radio quoted Begin as saying he was surprised to learn that the Cairo agreement did not allow for the extradition of Palestinians who killed Israelis.

Palestinian sources said Abed was arrested on criminal charges, although he was arrested by plainclothes security men, which hinted at a more serious security offense.

Islamic Jihad distributed a rambling statement calling for Abed's release and accusing the police of trying to start a civil war.

NEWS IN BRIEF

Social workers' strike continues

The social workers' strike goes into its 38th day today. No meetings between the Treasury and the union were held over the weekend or yesterday.

Today, union representatives are to meet with Labor and Social Affairs Minister Ora Namir, Finance Minister Avraham Shohat, and Treasury wage director Shalom Granit.

A demonstration of thousands of workers outside the Finance Ministry is planned, as are smaller protests in other parts of the country.

One-man crime wave confesses

A Pardess Hanna man who told Haifa District Court he had committed 126 crimes over the last two years was sentenced yesterday to 8½ years in prison and three years' probation.

Shimon Alfasi, 21, had been arrested for stealing NIS 300 from the car of a man with whom he had hitched a ride. During the course of his trial, he confessed to 125 other crimes, including robberies, burglaries, stealing, vandalizing and torching cars, and driving without a license or insurance.

Yigal Kotzer

HOUSING

(Continued from Page One)

land to flood it with," Sarid said. "There are no reserves of land in the center; there is no more central region for construction purposes."

Sarid had several demands which are similar to those of the Society for the Protection of Nature in Israel and other conservation groups. One is to refrain from building new settlements in the center. "Only in the Negev is there justification for building new towns," he said.

Plans for low buildings with gardens should not be permitted, he

added. "If everybody wants his own villa in the center of the country, there will be no center and no country left."

Sarid favors high-rise building — up to 13 or 14 stories — to leave green land around the towns. "Otherwise the center will become a block of concrete and cement, an urban monster which will shame us for all future generations."

"We will not approve any plans that lack sewage facilities, or that call for construction of homes next to environmental blights, which will make the lives of residents hell," he said.

Moshavniks eject road surveyors

LIAT COLLINS and Itim

ANGRY residents of Moshav Yad Rambam, near Ramle, threw out four surveyors from the Trans-Israel Road Company yesterday when they came to take measurements for the planned Trans-Israel highway.

The farmers said the planned road will swallow 1,200 dunams out of the moshav's 2,900 dunams of agricultural land, and make their moshav "an island in the middle of a traffic junction."

When the farmers noticed the surveyors they quickly organized to forcibly evict the men, who had not given the moshav prior notice of their visit.

The chairman of the Yad Rambam committee opposed to the plan, Avi Mukhtar, said the moshav intended to step up its opposition and without the support of the area moshavim, the road will not be paved.

"Unfortunately, all legal steps we have taken have yielded nothing and we have no option but to protect our homes and property the hard way," he said.

Arye Shabtai, a spokesman for the highway company, insisted the surveyors were acting within the law, adding, "If we can't go in and take exact measurements, we will not be able to start negotiations on the compensation owed them so they are really just hurting themselves."

He added that the planned land expropriation from Yad Rambam was about 320 dunams. "I don't know where they got their figures from," he said.

Jerusalem College for Adults

Classes by

Dr. Aviva Zornberg

Monday and Wednesday

will not be held this week.



MK Ephraim Sneh (left) and Prime Minister Yitzhak Rabin yesterday leave the Labor Party's central committee meeting after it unanimously approved Rabin's choosing him as the next health minister. (Haniotz Grizitky/Israel Sun)

Sneh: First MD picked as health minister

SARAH HONIG

FRESHMAN MK Ephraim Sneh, who is to become the new health minister, spent his teen years in north Tel Aviv as an above-average pupil at Municipal High School Alef and as a dutiful member of the Israel Communist Youth Movement.

Belonging to Israel's version of the Comsol got him into hot water with classmates, but for him it was sort of noblesse oblige. His father, after all, was Dr. Moshe Sneh, the local Communist Party chief.

Communism did not put the elder Sneh entirely beyond the political pale. In fact, when Ephraim was born in Tel Aviv in 1944, his father was one of the central pillars of the Yishuv's establishment. He was the Hagana's commander-in-chief and was involved in all top-level consultations and decision-making.

His political meanderings, however, took him from the centrist General Zionists (the mother party of the Likud's Liberal component) to Mapam and then in 1954 to the Communist Party. He was convinced that the communists were about to take over the

world, but apparently became disillusioned with the party before he died.

His son entered political life with this varied and contradictory background, and his meteoric political rise has been the envy of veteran activists. He entered the Labor party only in 1987, three days after he left military service with the rank of brigadier-general. It was Shimon Peres who lured him into politics, figuring that netting the personable son of the late Moshe Sneh would be a true accomplishment.

But Peres grew to rue that move deeply. As the 1992 Peres-Rabin showdown for the Labor leadership neared, Sneh was one of those who ditched Peres as a perennial loser and climbed onto the Rabin bandwagon.

Peres never forgave him, and Rabin remembered that switch, which was a prime consideration in his preferring Sneh to other contenders for the portfolio which Haim Ramon resigned in February.

Sneh will be the first physician to serve as Israel's health minister, having studied medicine at Tel Aviv University, specializing in internal medicine. He served as a doctor in a paratroop unit in the IDF, and was head of the medical team during the Entebbe rescue in 1976. He served as commander of a paratroop unit at the "China Farm" during the Yom Kippur War.

From 1980 to 1981, he was chief medical officer of the Northern Command, and from 1983 to 1984, did research in allergies and immunology at the US Military Research Institute in Washington. In 1984, Sneh became head of the outpatient clinics at Ichilov Hospital in Tel Aviv.

He served as head of the Civil Administration in Judea and Samaria from 1985 to 1987. Before his election to the Knesset on the Labor ticket two years ago, he was director-general of the Golda Meir Association, which promotes education for democracy and tolerance in the high schools.

Judy Siegel contributed to this report

The health minister's to-do list

- Preventing Kupat Holim Clalit from sliding into bankruptcy.
- Pushing through a national health insurance bill that will increase the amount of funding to Clalit while not handicapping the three smaller but growing funds, while allowing free public access to any health fund and severing the connection between the Histadrut and Clalit.
- Reorganizing and restructuring the Health Ministry so that it will give more emphasis to preventive medicine, rather than its single-minded attention to hospitalization.
- Encouraging restructuring of the public hospitals so that they will become more independent, whether in the form of non-profit corporations envisaged by previous ministers or in another form.
- Promoting quality health care in outlying areas and encouraging well-trained doctors to move out of the urban centers.

Judy Siegel

Sneh expected to sign no-smoking bill

JUDY SIEGEL

THE next health minister will sign an amendment — passed by the Knesset labor and social affairs committee in February — to bar smoking in the country's 60,000 workplaces, according to Prime Minister Yitzhak Rabin, who is acting health minister.

Rabin has refused to sign the amendment since he took over the portfolio from Haim Ramon.

Rabin told Hadassah-Israeli President Ora Sela, who two months ago strongly protested against Rabin's refusal to sign the bill, that his successor would do so. Sela will announce Rabin's statement at the organization's convention at Kibbutz Ma'aleh Hahamisha today. Rabin's aides explained that as a very heavy smoker, he would feel "hypocritical" if he authorized such legislation.

The amendment was passed unanimously by the committee and was supposed to go into effect 90 days later. But Rabin surprised anti-smoking activists and refused to sign the amendment, even though his Health Ministry had initiated the change, under then-minister Ramon. The minister's signature was regarded as only a formality.

The amendment, if signed by Dr. Ephraim Sneh, would bar smoking in all workplaces for at least a year. Smoking would be allowed only in restricted rooms set aside for smokers, or outdoors. Anti-cigarette activists said the amendment would have a profound effect on smoking habits in the country, with non-smokers no longer having to "beg" for the right to breathe clean air.

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Gov't to back new Dead Sea hotels

THE government has given its support to a proposal to build seven hotels, with some 3,500 rooms, on the northern shore of the Dead Sea, the Megilot Regional Council announced yesterday.

According to a spokesman for the council, its members met last week with Prime Minister Yitzhak Rabin and Tourism Minister Uzi Baram, who expressed their full-fledged support. The government is to pay for the infrastructure of the hotels, provide one-third of the estimated building costs of \$140 million as a grant and another

third in the form of government-backed loans.

For the remaining sum, the settlements in the area hope to raise one half, and will be seeking outside investors for the other half. They are reportedly negotiating with two such investors, whose names were not released.

While most of the hotels, which are set to be completed by 1997, are to be popularly priced, one or two are slated to be luxury establishments. In addition to the ho-

HAIM SHAPIRO

tels, the vacation villages at Kibbutz Almog and Kibbutz Kalia, which now have 30 rooms each are to each add another 120 units, at a total investment of \$12 million.

Meanwhile, the Government Tourist Corporation has already invested NIS 500,000 in improvements at the Atrakzia and Binyamin beaches.

Herb Keinson adds: Yitzhak Danon, in charge of tourism for the Megilot Regional Council, said the hotel projects

are significant "because it shows our intention to remain here, and that the region will continue to develop."

Danon said the construction will begin with three hotels near the Kalia water park. Each hotel will have some 250 rooms, and they will be at the level of either three or four stars.

Danon said that Baram, who first opposed the plan, changed his mind "when he saw that we have investors, people who believe that no matter what, this region will develop."

Leket's agency tenure likely to be extended

BATSHEVA TSUR

YEHEL LEKET is expected to continue in the position of acting Jewish Agency chairman until the end of this year, even though his mandate ends on June 10, agency sources said yesterday.

The Board of Governors is likely to approve an extension of Leket's term to coincide with the period when suspended Chairman Simcha Diniz will formally leave the post.

Diniz has taken a leave of absence in view of his trial for alleged misuse of agency credit cards, which will resume in the Jerusalem District Court in July.

Leket recently returned from the US, where he is said to have garnered support for the extension.

Meanwhile, pressure is mounting within the Labor Party to prevent Prime Minister Yitzhak Rabin from proposing former Tel Aviv mayor Shlomo Lahat as Diniz's successor.

Lahat recently resigned from the Likud, but has denied that he would be willing to run for the chairmanship, which automatically goes to a Labor member.

Members of Labor's Young Guard have appealed to Rabin to hold democratic elections inside the party to decide on a candidate.

Another controversial subject—the appointment of the heads of departments—will come up when the governing bodies of the World Zionist Organization and the agency convene next month. They are due to begin their deliberations in Jerusalem on June 16, Rami Korblum, director of the Organization Department, told a news conference yesterday.

The Zionist General Council, which will convene first, will be asked to ratify the recommendations of the committees of six to do away with politically-appointed department heads.

Another topic on the agenda will be the expansion of the Assembly, which currently has 398 members. This, Korblum said, is being done primarily to include public figures from the CIS, where Zionist movements have now begun springing up publicly.

The Board of Governors and the Assembly sessions will continue until June 30.



Pan flautist Jean Claude Mara displays his skills in Jerusalem yesterday. Mara is currently performing in the Israel Festival.

Arad Festival set for July 18-21

AMIR ROZENBLIT

NEARLY 1,000 singers and musicians will participate in 120 different performances at this year's 12th annual Arad Festival, from July 18-July 21. Performances will begin each day at 10 a.m. and end in the early hours of the following morning.

For the first time, it will be possible to fly to the festival, promoter Ron Schwartz, of Forum Productions, announced yesterday. He said that in cooperation with Arkia, a special package, which includes a round-trip flight from Tel Aviv to the new airstrip being built just north of Arad and tickets to four different performances on a single evening, for NIS 220, is being offered.

The first day of the festival will be devoted to the classical Hebrew song. The goal, according to artistic director Yair Klinger, "is to bring back to Arad the more mature population."

But fans of other forms of music will have much to choose from as well. Among those slated to perform are: Yehudit Ravitz, Gidi Gov, Rami Kleinstein, Shlomo Arad, Machina, Shmuel Kraus, Gali Atari, Boaz Sharabi, Shoshana Damari, and Danny Sanderson.

Immigration from Ukraine up, fewer come from Russia

BATSHEVA TSUR

SINCE the start of 1992, aliya from Ukraine has gone up by 30.8 percent, while the relative number of immigrants from Russia has decreased by 21.8%, Absorption Minister Yair Tzaban told the aliya cabinet yesterday.

The cabinet met to discuss the state of aliya from the CIS.

The big difference in the trends between the two neighboring republics can be explained by the instability of the Ukrainian economy is so unstable, he said, whereas in Russia there are new opportunities in view of the growing liberalization and privatization of the economy.

The trend towards a market economy in Russia has led people

considering migration, including potential olim, to put off leaving, at least temporarily, so they can sell property and have cash in hand, Tzaban said.

This has become evident here, where the number of mortgages granted to Russian olim has grown considerably since 1993. The olim have developed the conception that the later they leave Russia, the more money they will be able to take with them.

Data shows that 18,200 olim from the CIS arrived in the first three months of this year, compared with 21,500 in the same period last year, the Absorption Ministry spokesman said, a drop of 15%.

Israelis won't need visas to visit Turkey

FROM Wednesday, Israeli citizens will no longer need a visa to vacation in Turkey, the Turkish Embassy announced yesterday.

The visa, which could be obtained upon entering Turkey, had cost \$10. According to the announcement, the decision to lift the visa requirement for Israeli citizens visiting for up to three months, was made by Turkish Foreign Minister Hikmet Cetin, during the visit of Foreign Minister Shimon Peres to Turkey in April.

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NEWS IN BRIEF

Report: Accused in Roth's murder fit for trial

The two 15-year-olds from Herzliya accused of murdering taxi driver Derek Roth in February are mentally fit to stand trial and are able to distinguish between right and wrong, according to a psychiatric evaluation that was presented yesterday to the Tel Aviv District Court.

The two did, however, exhibit certain personality disorders, the report said.

As a result of this report, the boys' lawyers will not be able to claim that the two were not responsible for their actions. The trial is to open in September.

School poll: Pupils split on peace policy

Nearly 45 percent of 10th- and 11th-graders polled at the Hugin High School in Haifa said they opposed the government's peace policies, while some 43 percent supported them. The rest abstained.

The straw-poll was conducted among the 166 pupils who had participated in a political leadership course, which ended last week with a session at which the pupils were addressed by MKs from across the political spectrum.

TAU names deputy chairman of Board

Josef Buchmann, the international real estate magnate from Frankfurt, has been named deputy chairman of Tel Aviv University's international Board of Governors. Buchmann, was born in Lodz and survived the Auschwitz-Birkenau and Bergen-Belsen concentration camps. The chairman of the international board is Benno Gitter.

Filters to improve Western Galilee water

The Mekorot Water Company has started to build several installations to filter the drinking water in Western Galilee.

Dr. Ya'acov Aran, Mekorot's director of water quality, said the filters were needed because there had been an ongoing drop in the quality of the water supplied by the three major springs that provide water to Acre, Nahariya, Ma'alot-Tarshiha and other towns in the area.

The two to be installed on the Kaziv River—at the Ein Ziv spring and the Hardalit spring—are to cost NIS 10.5 million, while the third installation, located near the Kabri and Gatot springs, is to cost some NIS 15 million.

The filters are expected to be operating by the end of 1995.

OPEC minister hears Shahal talk

Energy Minister Moshe Shahal addressed a conference on oil in Norway yesterday which included an OPEC minister. This is the first time an Israeli minister has participated in a conference with a minister from an OPEC state.

Shahal spoke about the changes in the Middle East with progress in the peace process. He noted the possibilities for regional cooperation between oil-producing countries in the Arabian peninsula, Gulf states and Saudi Arabia, where 60 percent of the world's oil supply is produced. He said that Israel's location with access to both the Mediterranean and the Red Sea makes it a ideal transfer point for forwarding oil and gas from the Arabian states to Europe. Shahal said that using Israel for this purpose could save the oil-producing states \$250 million a year.

Winning cards

In yesterday's Mifal Hapayis daily Chance card draw, the lucky cards were the 10 of spades, ace of hearts, nine of diamonds and seven of clubs.

Rwanda's government flees

KIGALI (Reuter) - Most of Rwanda's government has fled its refuge south of the capital Kigali, fearing a rebel advance, diplomats said yesterday.

In the capital itself, an offensive by the rebel Rwanda Patriotic Force (RPF) prompted the United Nations to suspend convoys taking trapped civilians to safety across the city's front lines.

Diplomats said most government ministers and senior officials had left their headquarters, a former civil servants' college, near Gitarama town, 40 km south of Kigali.

The ministers and officials fled on Saturday by road and helicopter to the government-held western city of Kibuye on the shores of Lake Kivu facing eastern Zaire.

"Most of the government has gone to Kibuye and others are already abroad," said a diplomat, adding the main rebel thrust appeared to be moving on Gitarama to force the rest of them out.

A rebel officer said taking the

largely-deserted capital of Kigali was no longer a top priority. "What would we have if we took the rest of city? Just a few monuments, buildings," he said.

The self-declared government, set up following the death of President Juvenal Habyarimana in a rocket attack on his plane on April 6, fled from Kigali to Gitarama about a week later to escape the massacres and war ignited by his death.

The government is entirely from the majority Hutu tribe, which dominates the army and started an orgy of slaughter of the Tutsi minority and opponents by troops, militias and mobs.

Aid officials estimate 500,000 people have been killed. More than 1.5 million have fled across the small central African country's borders and hundreds of thousands are homeless inside Rwanda.

But despite the rebel RPF gaining ground in Kigali and advancing in the south, UN officials said

peace talks between rebel and army commanders were still scheduled to start at UN headquarters today.

The UN Assistance Mission in Rwanda (UNAMIR) called in representatives of both sides yesterday for talks on allowing its convoys to resume evacuating some of the 40,000 refugees in Kigali.

A UNAMIR source said earlier the convoys had been suspended for security reasons.

"My understanding is that the operation is being put off, probably till tomorrow, while the security situation is examined," the source told Reuters.

RPF gunners fired over two convoys taking refugees from the rebel-held east of the city to Gitarama on Saturday and a machinegun bullet hit a truck.

"This sort of harassment by the RPF must stop," said an officer involved in the operation, which evacuated more than 1,000 people from the shell-blasted capital on Friday and Saturday.

First wedding in 23 years at White House

WASHINGTON (AP) - President Clinton's brother-in-law, Tony Rodham, and the daughter of Sen. Barbara Boxer have been married in the first White House wedding in 23 years.

The Rose Garden was brimming with pink and white geraniums and, of course, roses, as Clinton and his wife played host for the marriage of Mrs. Clinton's younger brother to Nicole Boxer, who is Jewish.

About 250 guests attended the 40-minute ceremony, which included poetry, scripture and lilted violin music. Judge Peter Capua, a family friend from Miami, performed the ceremony under a white canopy after remarks from a Methodist minister and a rabbi.

"Everyone was extremely happy," reported Neel Lattimore, a spokesman for Hillary Rodham Clinton. "There was applause at the end of the wedding and a lot of

laughter." Fourteen-year-old Chelsea Clinton, in a teal gown, performed her duties as a bridesmaid with aplomb, Lattimore said. And he described Clinton as "gleeful."

After the ceremony, guests retired to the first lady's garden and the state rooms for a buffet dinner.

Boxer is a 26-year-old film company executive from Marin, Calif. Rodham, 39, works for the Democratic National Committee.

N. Korea, IAEA talks fail; rioting in South

VIENNA - The UN nuclear safeguards agency said yesterday North Korea had offered the UN nothing new in its blocked bid to examine the spent fuel of a suspect reactor and see if plutonium had been siphoned off to make bombs.

A spokesman for the Vienna-based International Atomic Energy Agency (IAEA) reported no

fresh offers from Pyongyang. The agency's reactor inspection team was already back in Vienna after failed negotiations, he added.

In Kwangju, South Korea riot police yesterday battled students trying to march on a ruling party building to demand punishment of former leaders who bloody suppressed a 1980 pro-democracy up-

rising.

The fighting broke out when some of the 50,000 students in an anti-government, anti-US march broke away to attack the Democratic Liberal Party building in Kwangju, a traditional hotbed of political dissent. Riot police fired tear gas to repel hundreds of rock-throwing students. (Agencies)

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North, South Yemen exchange missiles; no damage or casualties

SAN'A (Reuters) - A missile fired by southern Yemeni forces struck outside the northern capital San'a early yesterday and caused no damage or casualties, an official source said.

The source said the missile exploded in the Bani Mattar area, about 40 km west of San'a.

Witnesses in Aden said northern forces fired at least three missiles at the southern port city during the night and the south fired two missiles towards the north shortly afterwards. There was no word in San'a of a second missile.

Ground fighting subsided yesterday in the three-week civil war after the night of missile attacks by both sides in which at least one person was killed and four wounded in Aden.

At the Al-Anad front north of Aden, both northern and southern Yemeni forces sporadically fired shells and rockets yesterday.

Southern officials said that north of the Al-Anad military base at least two southern surface-to-surface missiles slammed into Dhalea junction area where northern forces were regrouping tanks for a new push on Aden.

Southern Brigadier Saleh Tammah said northern tanks had been scattered along a 10-km front at Al-Anad and late yesterday were regrouping at the junction.

"Two of our guided missiles hit the tanks at the junction, separating them again," he said.

North and South Yemen were unified in 1990 in a shaky merger

that degenerated into all-out war after a political crisis between northern President Ali Abdullah Saleh and his southern Vice-President Ali Salem al-Baidh.

A confident Tammah said his forces at the Al-Anad front were being reinforced by two southern brigades. One brigade from al-Mahrah governorate in the far east of southern Yemen had started arriving.

"We are now preparing for our offensive," he said, adding that southern planes were repeatedly bombing northern positions and supply lines.

"The mistake Saleh made was to push in with his forces without any air cover. This is his biggest mistake," said Brigadier Awad Haidarah, at another front, at Zingibar on the coast, northeast of Aden.

Officers said northern units were seen fighting with their shirts off, trying to cope with desert temperatures of more than 40 degrees Celsius (104 Fahrenheit).

"We are used to this but they come from cool mountain areas in the north," said a southern officer.

Southern forces were benefiting from the relative lull to reinforce and re-equip. Earth movers were building new southern fortifications on both fronts.

Soldiers and officers were seen relaxing in the shade, eating army rations of oriental rice and lamb, the desert around them littered with hundreds of empty Russian ammunition and rocket boxes.

Former communists favored in Hungarian elections

BUDAPEST (AP) - A party of former communists, now pro-Western and professing democratic ideals, was heavily favored to retake power as Hungarians voted yesterday in the final round of national elections.

Survey results released yesterday afternoon by Gallup Hungary indicated that the Socialist Party, successor to the reform wing of the old communist regime, would capture a majority of the 386-seat parliament.

The Socialist Party, the former reform wing of the communist regime, struck a chord with voters by campaigning against painful side effects of economic reforms, including 22 percent inflation and 12 percent unemployment.

Led by Gyula Horn, a former communist foreign minister, the Socialists appear certain to win the most seats in the 386-member parliament after emerging on top in first-round voting May 8 with almost 33 percent.

The liberal Alliance of Free Democrats was second with about 20 percent, followed by the governing conservative party, the Hungarian Democratic Forum, with almost 12 percent.

A complex system of voting for candidates and party lists means most seats will be decided in yesterday's runoff. Some preliminary results were expected after midnight.

Gallup Hungary's analysis of first-round voting and results from a national survey last week indicated the Socialists could get 195 to 213 seats. It predicted 65 to 82 seats for the Free Democrats, and 39 to 45 for the Forum.

The survey was conducted among 1,500 adults by Gallup workers in the field. The margin of error was plus or minus 2 percent.

Hungary's election law prevented Gallup from releasing the survey results before yesterday. Local media are barred from reporting them until the polls close.

"I am very hopeful we will win a majority," said Horn, 62, looking confident as he voted at a school in an upper-middle-class neighborhood near central Budapest.

Hungarians do not favor a re-



Gyula Horns of the Hungarian Socialist Party casts his vote in Budapest yesterday. Horn, who was injured in a car accident May 5, is wearing a metal brace to support his head and relieve the strain on his neck.

turn to the communist past, but many hope to restore some of the pragmatism and experience of the old regime's reform wing. They are weary of drift and infighting within the Forum, which has caught the blame for tough economic times.

The Socialists say they won't reverse economic reforms, many of which they launched in the 1980s, but they pledge to help those hurt by the changes.

A Socialist government also would be unlikely to veer from Hungary's West-leaning foreign policy. There has been broad consensus on joining the European Union and NATO.

"The West has nothing to fear from a Socialist or Socialist-led government," said Laszlo Kovacs, former communist official who is the likely candidate for foreign minister.

Socialist leaders also have sought to reassure foreign investors, who have pumped \$7 billion into Hungary since 1989.

This month's balloting marks the first time this century Hungary has held two consecutive free elections, a sign that democracy is taking hold.

Horn is widely known for helping puncture the Iron Curtain in September 1989, when Hungary opened its border with Austria for tens of thousands of fleeing East Germans.

Major's denunciation of beggars enrages politicians, churchmen

LONDON (Reuters) - Prime Minister John Major's denunciation of beggars as offensive eyesores sparked outrage yesterday among church leaders, political foes and hundreds of homeless people protesting on the streets of London.

Tony Blair, favored to be the next leader of the opposition Labor Party, said the prime minister was being vindictive, petty and small-minded.

Paddy Ashdown, leader of the centrist Liberal Democrats, accused Major of pandering to rabid right-wingers and a leading bishop called it "a most draconian attack on very vulnerable people."

Major, campaigning for the ruling Conservatives in next month's European elections, unleashed a storm of protest on Friday when he said in a newspaper interview "It is an offensive thing to beg" and urged that they should be reported to police.

Unrepentant whilst out campaigning, the embattled leader who could face a serious threat to his leadership if the Conservatives are trounced in the election said: "I stand by what I said. There is no need for begging."

The storm of protest showed no sign of abating yesterday.

Liverpool's Bishop David Sheppard told BBC Radio: "I find it a

very unlovely feature of public life when people in power pick on the most despised groups in society rather than asking what the causes are."

He blamed the situation on the government's decision in 1988 to take away welfare benefits from 16 and 17-year-olds and the policy of discharging mentally disturbed patients into the community.

Blair, shown in a poll yesterday to be hot favorite to replace John Smith after the Labor leader's death this month from a heart attack, echoed Sheppard's criticism and attacked Major.

He accused Major of being vindictive against the destitute and told BBC Radio: "The pettiness and small-mindedness of it will not just affront people but bewilder them."

Social workers were equally forceful in their condemnation of Major, who took over power in 1990 and said he wanted to be leader of a classless, caring society at ease with itself.

Stan Burridge, one of the organizers of a rally by homeless protesters along the streets of London, said Major's attack had caused outrage among the homeless who marched along waving banners saying: "Beggars cannot be choosers."

Photo-finish vote in Colombia

BOGOTA 29 (Reuters) - Colombians voted yesterday for a new president, with opinion polls pointing to a close race between the two top candidates but no dramatic changes in policy regardless of the outcome.

Reflecting the relative peace this coffee and oil exporting nation has enjoyed since police shot and killed Medellin drug cartel chief Pablo Escobar last December, polls opened for the 17 million registered voters in calm conditions.

"This is an electoral contest which is taking place in an atmosphere of peace and confidence," outgoing president Cesar Gaviria told reporters as he cast his vote near the presidential palace early yesterday.

Gaviria, Colombia's most popu-

lar end-of-term president in 24 years, is barred by the constitution from standing again and will move to Washington when he leaves office next August 7 to become secretary-general of the Organisation of American States (OAS).

Most polls during the campaign gave an advantage to the candidate of Gaviria's Liberal Party, economist and former minister Ernesto Samper. But a flurry of conflicting surveys in the week leading up to the vote suggested Conservative rival Andres Pastrana might have closed the gap.

The polls also suggested neither candidate would win the majority of votes needed for outright victory, meaning the contest will probably go to a second round three weeks later.

The great bathtub inventor

LONDON (Reuters) - A British inventor, struck with inspiration in the bath like the ancient Greek Archimedes, has developed a plug that stops the bath overflowing and could make him a millionaire.

Trevor Blaney, who fell asleep whilst running a bath which then overflowed and flooded his house, said his super-plug "basically works by a centre section popping out if a bath or sink is left to overflow."

"My invention is based on Ar-

chimedes principle and like Archimedes I made my discovery in the bath. When Archimedes formulated the displacement theory he also discovered that baths overflow, and now I have solved that problem," he added.

The invention has been patented and the industrial company Glynned International plc plans to produce 12 million plugs a year. Insurance companies flooded with water claims may make the pop plug mandatory for households.

ISRAEL LANDS ADMINISTRATION

Israel Lands Administration Southern Region

Leases offered on three plots for construction of commercial buildings, Shechunat Vav, Beersheba

Bids are invited from those interested in signing a 3 year development agreement, after which those concerned will sign a 49 year lease with an option to extend for another 49 years, for plots in Block Kat Bet-9 and part of Parcel 10, the details and building possibilities of which are:

Tender	Plot	Approx. Area, sq.m.	Total Construction Area, sq.m.	Minimum Price, NIS	Priorities
134/94/Bet Shin	96	508	209	200,320	
135/94/Bet Shin	117	709	248	236,782	
136/94/Bet Shin	118	797	279	258,459	

* Urban Building Plan 73/Bet Mem/5 shows that, on each plot, one commercial building, with a building percentage of 35, may be built.

† The minimum price is for the land and development costs.

‡ Not including VAT.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The invitation to tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Southern Region, Rehov Ben Zvi (above Ullmei Yehalom), Beersheba, Tel. 07-232202, during regular working hours.

A bank check or bank guarantee for 10% of the bid total should be attached to bids.

Last date for submitting bids: July 13, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

The Israel Lands Administration does not undertake to accept the highest of any bid.

Israel Lands Administration Southern Region

Lease offered on Plot No. 817 for construction of a commercial building, Shechunat Ramot, Beersheba - Invitation to Tender 133/94/Bet Shin

Bids are invited from those interested in signing a 3 year development agreement, after which those concerned will sign a 49 year lease with an option to extend for another 49 years, for plots in Block Kat Bet-9 and part of Parcel 10, the details and building possibilities of which, at the time of publishing this notice, are:

Urban Building Plan	Part of Parcel	Plot	Approx. Area, sq.m.	Total Construction Area, sq.m.	Minimum Price, NIS
59/Bet Mem/5	8	817	471	141	150,111

* Urban Building Plan 59/Bet Mem/5 shows that a commercial building, with a total building percentage of 30 on one floor, plus 5% for a service area, may be built.

† The minimum price is for the land and development costs.

‡ Not including VAT.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The invitation to tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Southern Region, Rehov Ben Zvi (above Ullmei Yehalom), Beersheba, Tel. 07-232202, during regular working hours.

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The Israel Lands Administration does not undertake to accept the highest of any bid.

ISRAEL LANDS ADMINISTRATION Central Region

Lease offered on Plot No. 149 for construction of housing units in Amishav, Petah Tikva - Invitation to Tender No. 132/94/Mem

Bids are invited from those interested in signing a 3 year development agreement, after which the party concerned will sign a 49 year lease with an option to extend for another 49 years, for a plot, the details of which are:

Block	Part of Parcel	Plot	Approx. Area, sq.m.	Total Building Percentage
6320	121	121	880	60

* Urban Building Plans 1255/Pet Tikva, 2/2000 Pet Tikva show that on Plot 121 four housing units may be built, in 2 two-family houses, with a maximum building percentage of 40 per floor, total of 60% on two floors + a 50 sq.m. basement.

† In addition to the amount bid for the land, the successful bidder will be required to pay development costs to the local council, in accordance with the authority's bylaws.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Central Region, 88 Derech Petah Tikva, Tel Aviv, ☎ 03-5638383, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached to bids as deposit.

Last date for submitting bids: July 6, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

Israel Lands Administration Central Region

Lease offered on plot for construction of one semi-detached housing unit, Neve Ephraim - Monosson - Invitation to Tender No. 110/94/Mem

Bids are invited from those interested in signing a 3 year development agreement, after which the party concerned will sign a 49 year lease with an option to extend for another 49 years, for a plot, the details of which are:

Block	Part of Parcel	Plot	Approx. Plot Area, sq.m.	Approx. Construction Area, sq.m.	Minimum Price, NIS	Development Cost, NIS
6504	155	78et	315	200	343,346	76,899

* Urban Building Plans 7017/Mem Mem and 7011/Mem Mem show that the plot is zoned for residential construction, and that one semi-detached cottage may be built, with an area of 100 sq.m. per floor, 200 sq.m. on two floors, and a 30 sq.m. ancillary area, within the outlines of the house (for a storehouse, laundry room and garage). There may be a 50 sq.m. basement, within the building lines, and a 15 sq.m. car port - all as detailed on the urban building plan.

† In addition to the amount bid for the land, the successful bidder will be required to pay development costs to Neve Ephraim Local Council, these being linked to the index of consumer prices for April 1994. These development costs are for the water supply levy, sewerage levy, road surfacing levy, channeling levy, and for the total development levies.

‡ Not including VAT.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Central Region, 88 Derech Petah Tikva, Tel Aviv, ☎ 03-5638383, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached to bids as deposit.

Last date for submitting bids: July 6, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

The Israel Lands Administration does not undertake to accept the highest of any bid.

ISRAEL LANDS ADMINISTRATION Central Region

Lease offered on Plot No. 1004, for construction of an industrial building, Kiryat Arye, Petah Tikva - Invitation to Tender No. 108/94/Mem

Bids are invited from those interested in signing a 3 year development agreement, after which the party concerned will sign a 49 year lease with an option to extend for another 49 years, for a plot, the details of which are:

Block	Part of Parcel	Plot	Approx. Plot Area, sq.m.	Total Area for Registration, %	Minimum Price, NIS
6364	89	1004	1,440	120	1,131,106

* Urban Building Plans 2000/Pet Tikva, 2/2000/Pet Tikva, 2/2000/Pet Tikva, 2/2000/Pet Tikva show that an industrial building may be built, with a building percentage of 40 per floor, total of 120% on three floors, height up to 12 m. It will also be permitted to build a basement, shelter, and underground parking - all in accordance with Urban Building Plan 2/2000/Pet Tikva.

† Bids should be for the land only. In addition to the bid total, the successful bidder will be required to pay the development costs, in the form of fees and levies, in accordance with the bylaws of the municipality.

‡ Not including VAT.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Central Region, 88 Derech Petah Tikva, Tel Aviv, ☎ 03-5638383, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached to bids as deposit.

Last date for submitting bids: July 6, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

The Israel Lands Administration does not undertake to accept the highest of any bid.

ISRAEL LANDS ADMINISTRATION Haifa Region

Bids are invited for 3 Year Leases on Plots 16, 17, to operate car parks in the Haifa Bay Industrial Zone

Bids are invited from those interested in signing a 3-year agreement, covering the operation of a car park. Details as follows:

Tender	Block	Parcel	Area, sq.m.	Minimum Price for 3-year usage, NIS
106/94/Het	11610	16	4,236	270,299
107/94/Het	11610	17	4,587	293,803

* Although the lease is for 36 months, the minimum prices is based on a period of use of 36 months. This will allow the successful bidder a period of 3 months, in which to obtain licenses, prepare the lot, etc. No structure may be put up on the plot.

The right is reserved to accept any bid, or to reject all bids.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Haifa Region, 13 Derech Ha'atzmaut, Haifa, ☎ (04) 355411, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached to bids as deposit.

Last date for submitting bids: July 6, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

ISRAEL LANDS ADMINISTRATION Haifa Region

Lease offered on plot for construction of 3 housing units in Rehov Ha'oren, Nahariya - Invitation to Tender 105/94/Het

Bids are invited from those interested in signing a 2 year development agreement, after which those concerned will sign a 49 year lease with an option to extend for another 49 years, for a plot, the details and building possibilities of which, at the time of publishing this notice, are:

Urban Building Plan	Block	Parcel	Approx. Plot Area, sq.m.	Approx. Plot Area, sq.m.	Total Construction Area, sq.m.
851/Gimmel	18209	155	844	833	

* Urban Building Plan 851/Gimmel shows that the area is zoned as Residential Bet (Amikar neighborhood), and that 3 housing units may be built, with a building percentage of 50, plus the 25% under addition, to be used for the building of an attic - a third floor, in addition to the 2 statutory floors. This permit for this is subject to the approval of the local planning and building committee.

† In addition to the amount bid for the land, the successful bidder will pay the local authority licenses and fees, in accordance with the bylaws.

‡ Not including VAT.

The Israel Lands Administration reserves the right to accept any bid, or to reject all bids, including the highest.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Haifa Region, 13 Derech Ha'atzmaut, Haifa, ☎ (04) 355411, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached to bids as deposit.

Last date for submitting bids: July 6, 1994 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.

The Israel Lands Administration does not undertake to accept the highest of any bid.

Israel Lands Administration Tourism Enterprises Development Co. Ltd. Jerusalem District

Leases offered on Plot No. 10, for a sea shore development project, Southern Riviera Beach, Ashdod - Invitation to Tender 102/94/Yod Mem

Bids are invited from those interested in signing a 3 year development agreement, after which those concerned will sign a 49 year lease with an option to extend for another 49 years, for a plot, the details and building possibilities of which are:

Block	Part of Parcel	Plot	Approx. Area, sq.m.	Total Area for Registration, %	Minimum Price, NIS	Development Cost, NIS
2003	3, 18, 19	10	1,947	709	778,801	144,828

* Plan 44/101/023 shows that 700 sq.m. development project may be built on the sea shore, as follows: main area - 840 sq.m.; service area - 80 sq.m.

† In addition to the amount bid for the land, the successful bidder will be required to pay the above development costs, linked to the building index for April 1994 (published on May 15, 1994). Payment will be made on the basis of the last known index figure when payment is made, directly to Tourism Enterprises Development Co. Ltd.

‡ Not including VAT.

The tender booklet will be available from June 6, 1994, on submission of a receipt from the Post Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, at the Israel Lands Administration, 34 Rehov Ben Yehuda, Jerusalem (12th floor), ☎ 02-254121, during regular working hours.

A bank check or bank guarantee of 10% of the bid total should be attached

China syndrome: The more things change, the ...

FILM REVIEW

ADINA HOFFMAN

WOMAN SESAME OIL MAKER (Xiang Hunnu)

★★★★

Directed by Xie Fei. Screenplay by Xie Fei. Based on the novel by Gu Daxin. Hebrew title: *Ha'isha Sheyatza Shemen Sesum*. Mandarin dialogue, Hebrew and English subtitles. Not recommended for children.

Xiang Hunnu Sigui Gaowa
Huanhu Wu Yujuan
Que Lei Luosheng

Recent Chinese movies seem especially attuned to the emotional nature of work.

Zhang Yimou's luscious *Ju Dou*, for instance, unfolds at a rustic textile-dyeing warehouse, a vibrant setting that gives the tortured laborer-characters ample opportunity to wring their hands and stare into blood-colored pools.

So, too, the Peking Opera singers at the center of Chen Kaige's *Forever My Concubine* often reserve their moments of most virulent passion for a grueling rehearsal or performance; sometimes angry eruptions take place as the men painstakingly apply their intricate stage makeup.

This national taste for soulful industry surfaces once again in director Xie Fei's beautifully measured *Woman Sesame Oil Maker*.

Here, the story of one woman's troubled inner life is made doubly poignant by the constant motion of her hands, which appear to operate quite independently of her

aching heart.

No matter how miserable she feels, she must always keep busy with some tangible task.

Xiang (Sigui Gaowa) lives beside a lake in rural Northern China and operates a small sesame-oil business. A middle-aged villager with gold-hoop earrings and a pleasant face, she never once stops working.

She sifts and toasts sesame seeds, lowers the levers on the presses, funnels oil into bottles, lifts steaming dumplings from the fire, arranges garlic bulbs, rolls the bedclothes, wakes her young daughter for school, tends to her retarded teenage son and fends off her violent husband.

Her life is difficult, even wretched at times, but Xiang rarely indulges in weepy self-pity. She has little time to reflect. With a lover on the side and her work to distract her, somehow, she gets by.

When a coiffed Japanese investor arrives with her entourage at Xiang's modest workshop, the film seems poised to take a turn for the Faustian. Will Xiang capitulate to greedy outside interests and risk compromising the difficult emotional balance she's maintained so far? Will she strike out for the big city and Western-style feminist liberation?

The answer, it turns out, is not nearly as melodramatic as either of these questions.

The Japanese woman does invest in Xiang's business, and the old wooden equipment is replaced by a complicated network of yel-



Free enterprise is all well and good, the movie seems to be saying, but economic systems by themselves have little effect on human suffering. Increased cash flow can't save Xiang's marriage or ease the epileptic seizures that grip her troubled son.

low metal gears. Functional plastic jugs replace the old glass bottles. Xiang's oil passes a federal inspection and begins to win national contests.

Deep down, however, nothing changes at all. Xiang's steady gaze drifts with increasing frequency whenever someone asks about operating licenses or the fatty acid content of her sesame oil.

Increased cash flow can't save her marriage; the epileptic seizures that grip her troubled son do not slow in proportion to stepped-up production.

At the most basic level, Xie

Fei's film makes a strong, quiet case for the inability of any economic system — Maoist, free-enterprise or otherwise — to effectively engage human feeling. Mechanical progress and financial advancement are all well and good, the movie seems to say, but personal suffering is hardly so linear.

In a gentle, lyric manner, Xie paints a miniature of modern China in the form of this singular woman. Actress Sigui Gaowa is expressive in a real, earth-bound way.

With her emphatic gait and the

bit of extra flesh that hangs around her upper arms, she's a different sort of heroine from the Chinese actress most familiar to audiences here, the perennially persecuted and radiant Gong Li (*Jou Dou*, *Concubine* and *Kiss the Red Lanterns*).

Xiang is not just a victim of an uncaring patriarchal system; she is also its strictest enforcer. The film reaches its most piercing emotional pitch as Xiang pressures a pretty young woman to marry her sick son. She knows the marriage cannot possibly be happy and realizes she's condemning the girl, Huan-

huang, to a life as lonely as her own.

But, desperate and stumped, Xiang can't help herself. So centuries of habit give way slowly to — more of the same. It's a wrenching horror story, one in which stubborn pride and unspoken expectation take the place of ghosts.

A warning: Some audience members may find the pulse of this film too halting. The ticket salesman at a recent screening, for one, offered change with a contemptuous scowl and a weary disclaimer: "This movie has no action," he sighed. "People like action."

Dancing away an old debt

MICHAEL AJZENSTADT

TONIGHT in Jaffa, some gifted dancers will be dancing a gift.

The dancers are the Bat-Dor company and the gift is a work donated to its founder and patron Baisheva de Rothschild by the Martha Graham Dance Company. The performance of *Temptations of the Moon* is one of several special events worldwide celebrating the 100th anniversary of Graham's birth.

"Sometime people give gifts when they celebrate a birthday," explains Carol Fried, associate artistic director of the Graham company. But as far as she is aware, De Rothschild is the "only person a ballet has been given to."

In addition to commemorating the close links between the late Graham and this country, Fried is repaying a personal debt to De Rothschild.

As a teenager in the U.S. Fried started studying dance through a grant from De Rothschild. "She then continued to pay for all my studies," Fried said last week, at the Bat-Dor studios.

She went on to dance for 10 years with the Graham company. Now Fried is among those who must shape that company without its founder and sole choreographer. The company is now not only seeking works from new choreographers, it is also allowing other troupes to perform Graham works.

The National Netherlands Ballet was the first company to be licensed to do a Graham work, *Divisions of Angels*, and now the company is about to close a three-year deal with the Paris Opera Ballet.

But Israel is a totally different ball game, Fried explains. "We're not talking about a commercial venture. We are here to pay a debt."

In order to mount *Temptations of the Moon*, Fried called on old friend and colleague Bert Terborgh to come here for two weeks to lay the groundwork. Terborgh, who comes from the Netherlands, is no stranger to either Israel or Bat-Dor. He was a member of the company between 1973 and 1975 and has returned often to teach at the company's summer courses.

Moon was chosen for specific reasons. "We had a limited time to work," Fried explains, "and so they needed a relatively simple Graham work. *Moon* is a real fun piece to dance, and lends itself easily to [Bat Dor's] style." It is not a typical Graham piece, though, in that it is not a story ballet.

The Bat-Dor Dance Company premieres *Temptations of the Moon* tonight (8:30) at the Noga Theater in Jaffa. Further performances are planned, although no dates have yet been set.

Simta turns up an unfamiliar theatrical alley with 'Joko'

HELEN KAYE

MOUSETRAP move aside! Since 1957, *Simta* has been the only long-running Hebrew theater in Jaffa. It's *The Fall* by Albert Camus, adapted and performed about once a month by Simta artistic director Niko Nitai.

Camus's first-person novella is the story of a once successful lawyer who has become a bum. It's an unusual choice for a play, but so are other Nitai productions, such as the father/son conflict of *Fables* in 1991 — an early play by noted film director Pier Paolo Pasolini before he turned to film.

Nitai's latest foray into the lesser known is *Joko*, which opened at the Simta last week. It's a comedy by French cartoonist/director/author and playwright Roland Topor, "which discusses slavery by choice," says Nitai, calling the play a parody on democracy.

"It offers us unlimited opportunities, but unless we make responsible choices we get ourselves on a treadmill and then can't get off it," Joko (Yoav Barlev), on his way to work one morning, is accosted by a bossy chap (Elihu Applebaum), who jumps on his back and demands to be taken to "the congress" (no one ever discovers what it's discussing).

At first he refuses, furiously. Then, seduced by the huge tips the congress participants offer, Joko joins his already piggy-backing mates. He earns a lot of money but discovers it's not worth it. "Just like us, Joko has values," says Nitai during a rehearsal break. "And each of us gives up on principles to one degree or another and for all kinds of reasons. We always say that the compromise is temporary, and then it becomes a way of life. This bothers some people. Others it doesn't."

Nitai and Simta are synonymous. He created the little theater in the middle of Old Jaffa in 1982, because conventional repertory theaters didn't satisfy him. He didn't like the material and wanted to create an ensemble of actors.

Since that time Nitai has done some 20 productions at the Simta, which doesn't include the annual original-play festival he inaugurated 11 years ago to showcase the work of local playwrights who had never before seen their work produced.

But although he's supportive of local plays, Nitai has never directed one at the Simta. His work is translated, mostly from the French canon. "I always bring material I like, but maybe I have a particular affinity for French culture — I like its self-irony — and maybe because my mentors were the French existentialists."

Born in Romania, Nitai was already a trained actor when he immigrated in 1961. He abandoned acting in 1969 for directing. *The Fall* signaled Nitai's return to performing, and he's created three more shows since then, all still running and all solo turns.

Gal Zaid: Performing outside the 'arty ivory tower'

HELEN KAYE

EVEN though it was film school he'd set his heart on, Gal Zaid decided to study a bit of acting because, as he said, "it won't hurt me." It didn't. What's more, he took up directing as well, and now the idea of film school is a distant memory.

He's slight in build, with a cheeky, expressive face that belies his age. He's a perfect fit for his current role, that of Francis Archer in George Farquhar's classic 18th-century comedy *The Beaux' Stratagem*. Directed by Briton Peter James, it's currently playing at the Beersheba Theater.

Archer and Thomas Aimwell (Lior Ashkenazi) are a couple of nicely brought up young rascals from London whose social standing outruns their economic one.

They decide on a magnificent gamble: to hunt themselves a

wealthy wife in the country. And if that play fails? Well, there's always the army.

To make even more of a splash they arrive in the country with Archer masquerading as his friend's servant.

The pair promptly, and conveniently, fall in love with the two well-heeled local beauties, Miss Dorinda (Aviva Pasternak) and Mrs. Sullen (Shiri Golan). There are adventures aplenty before the neatly packaged happy ending, not to mention a good deal of flirting.

"Francis wants the good life without having to try hard, but actually he has to work very hard to get there," Zaid says. "I can tie into his ambition, his hunger to feast on life. It's wonderfully challenging to do such a character. He's so different from the tortured souls of most contemporary dra-

ma, and yet I need to find the contemporary in him."

This has been made easier by director James, who's moved the action to our own Roaring Twenties, "because we can relate more easily to the period than to the 18th century," Zaid continues, "but it's still difficult. After all, it's classic English theater. But Peter [James] was very calm, very precise. He knows the material so well that he could really lead the actors, which made us feel very secure."

In this role Zaid returns to repertory theater after a two-and-a-half-year break during which he mostly worked with his friend, actor/director Ami Dayan. Together the pair did three shows.

There was *Matches*, which won Zaid Best Actor at the 1991 Acre

Theater Festival, and *The Man Himself* for which he won a merit award at TheaterNetto '92, both directed by Dayan.

Earlier that year young director Ben Levine had directed both Zaid and Dayan in *Are there Tigers in the Congo?* It was the first play done here that talked about AIDS, and that at a time when many people were still denying there was a problem. "The pair took it all over the country," playing chiefly to young audiences.

"I left institutional theater because it wasn't enough," Zaid continues. "I wanted to choose what I did and not have things thrust on me. I look for a play that's both a good show and has something to say. I feel that our theater talks down to the audience too often, or it retreats into some arty ivory tower, and neither way has much worth."

Festival dazzlers: Theater of the future; ballet from the past

ISRAELI FESTIVAL ROUNDUP

LET there be electric light. In Gertrude Stein's *Dr. Faustus Lights the Lights*, the title character cries out to save his soul. Robert Wilson presents the 1937 surrealist incantations and Dada ravings as a brilliant synthesis of song, sound, lighting, music, mime, mobile sculpture and puppetry.

An enigmatic and esoteric text is projected in a contemporary idiom of tightly sculpted forms that grip mainly on account of sizzling visual and audio effects realized by a versatile crew of youthful performers from Berlin's Hebbel Theater. Is this the theater of the future? *Naomi Dowdai*

SEEING a company of such size and quality as the National Ballet of Canada perform Nureyev's version of *The Sleeping Beauty* at Caesarea wiped out the chagrin at not seeing John Cranko's *Onegin*, which it replaced. It also featured a prince — the homegrown but internationally known Rex Harrington — who almost stole the show, despite the super-glitter of prima ballerina Karen Kain and such gems as Johan Persson's Bluebird.

Ultimately, the dazzle of the crowd scenes conquered all. Indeed, even the large stage of the Roman amphitheater seemed at times too small for the ensembles. Harrington's stamina was so remarkable that the numerous, highly difficult solos devised by Nureyev seemed effortless.

Kain was technically flawless as Aurora, but she sometimes gave the impression that she was aiming more for balletic virtuosity (which she achieved) than for the spirit of youth, which is axiomatic to the role of a little girl who sleeps for 100 years. *Dora Swenden*

BUSTAN AVRAHAM is a group of talented and imaginative musicians who combine, merge and fuse Western instruments performing styles with those of the Near East.

With Jews and Arabs playing together, the group not only encourages social coexistence but achieves mutual musical acculturation and cross-fertilization. Bustan Avraham, creates a special kind of music inspired by classical music and pop, establishing a

compound which is original and yet possesses clearly definable stylistic features. *Benjamin Bar-Am*

THE Female Chorus of the Bulgarian National Television — also known as *Le Mystere des Voix Bulgares* — must be regarded and immensely admired as the magnificent preserver of the Bulgarian musical heritage. It is an intriguing fusion of Slav, Byzantine, Turkish, Mediterranean and Near-Eastern sounds, along with Western elements.

In addition to this perplexing variety, the choir differs from a West European choir in its sonority, which makes the sound of the choir unique — the antithesis of the Western sound-ideal — and it is achieved through hard and prolonged vocal training.

Lead by conductor Dora Hristova, the choir achieves an incredible accuracy of rhythm and intonation. Listening to these mysterious voices is indeed a unique experience. *Benjamin Bar-Am*

THE Israel Festival can now justly claim it fulfilled, partly, its obligation toward new Israeli music. This, perhaps, is the main value of the event entitled "Rechter and Gronich write for Cantus."

Yoni Rechter's *To Time I Hearken* is a well-meaning but labored attempt at creating a distinct musical atmosphere. Its pretensions at giving musical expression to abstract ideas, such as listening to time, were embarrassing, rather than convincing.

Shlomo Gronich's *Palpitation of a Bird* is a gimmick-studded succession of vocal and instrumental imitations of bird sounds, in the footsteps of a shorter and more original piece by Yossi Marhayim. The sound effects aim at sophistication, with interludes giving an air of seriousness, but the result is cumulative fatigue.

**Give Soldiers
Lifts**

Even superannuated tricks, like poking fun at the Hebrew pronunciation of one-time new immigrants from Germany — slightly belated after 60 years — were revived, lowering the common denominator of musical taste.

The Cantus Chamber Choir, and the Van Leer Chamber Players and soloists, conducted by Riccardo Hegman, worked hard to make the two works sound better than they were. *Ury Eppstein*

THE Moroccan, Paris-based chanteuse Sapho, although not altogether faithful in intonation, style and performance technique to Om Kalsoum, the legendary Egyptian singer whose repertoire she presents, nevertheless sings in a sufficiently traditional Arab manner to sound authentic to the uninitiated.

Sapho has her way with the sympathetic, mixed Israeli-eastern Jerusalemite audience. Her French and English commentaries were helpful but melodramatic.

Her enchanting voice quality and the characteristic delicacy of the accompanying Arab instruments were brutally distorted, however, by an overly aggressive amplification system. *Ury Eppstein*

THE Freiburg Baroque Orchestra, the Balthasar Neumann Choir and the Tragicomedia Ensemble, conducted by Thomas Hengelbrock, made one feel that living in the Baroque era must have been extremely pleasant.

Playing the period instruments with a smile and an uncommonly light and easy touch, they were obviously enjoying what they

were doing, and conveying their enjoyment to the audience. Totally absent — fortunately — was the academic seriousness and aplomb of a former generation of German Baroque performers.

In Monteverdi's *Zephira torna* and Luigi Rossi's *Orfeo* scene, the drama was evident. A selection from Cesti's virtually unknown opera *L'Oronoea* was delivered with a naughty humor that imparted a sense of everlasting modernity to the comic drunkard's scene.

The ensemble's continuous splitting up into ever-changing combinations helped the evening pass without a dull moment. *Ury Eppstein*

WORKS by 26 contemporary Indian artists are a feature of this year's Israel Festival. Some are on view at the Jerusalem Theater Gallery; the bigger works are at the Jerusalem Artists House until tomorrow.

Folk themes, abstract expressionism and some totally geometric drawings, notably by the brilliant minimalist Nasreen Mahammedi, bridge the gulf between Eastern and Western traditions.

Also at the Jerusalem Theater are extraordinarily fine paintings and drawings by Shirley Fakior and Joram Rozov, which will be reviewed in next week's *Magazine*. *Meir Ronnen*

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Space is limited so book early and avoid disappointment.

Wednesday "CHURCHES IN JERUSALEM"

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Thursday "UNDERGROUND JERUSALEM"

Join archaeologist Aren Maeir on a tour of the hidden city, a place where one does not see the sun, the dark mysterious Jerusalem, hidden underground. Included are visits to a Herodian mansion, the Rabbinic Tunnel (Minaret HaKotel), the Warren Shaft and the Southern Wall excavations. **Price NIS 110**

Each tour includes transportation from Jerusalem and Tel Aviv and return, entrance to all sites, background lectures, and on the spot explanations.

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permission. Editors: 1932-1955 GERSHON AGRON, 1955-1974 TED LURIE, 1974-1975 LEA BENDOR, 1975-1989 ARI RATH
and ERWIN FRENKEL, 1990-1992 N. DAVID GROSS

For full-time ministers

PRIME Minister Yitzhak Rabin and the Labor Party central committee should be congratulated for nominating MK Ephraim Sneh to the post of health minister. Sneh displayed excellent administrative and diplomatic skills when he served as civil administration head in Judea and Samaria from 1985 to 1987. And his medical background - he is the first physician to serve in this post - should endow his approach to health-care problems with special understanding.

Most important, Sneh seems to agree with his predecessor Haim Ramon that the national health insurance bill should be made into law immediately, and that Kupat Holim Clalit - the bankrupt, Histadrut-affiliated health fund which services over two-thirds of the population - must be separated from the country's labor federation.

The recent history of Clalit is nothing short of a national scandal. The health fund's deficit by the end of the year is expected to exceed NIS 5 billion. As one Labor politician put it, the fund is the ultimate example of a bottomless pit. The government is now toying with the idea of declaring it bankrupt and appointing a receiver - something the medical personnel view, with reason, as a threat to their present pay scale. If the move results in a doctors' strike, patients will be, as always, the

first to suffer.

It is this looming crisis which seems to have prompted Rabin to decide that he could no longer manage the health portfolio in addition to the other ministries in his charge: defense, interior and religious affairs. That only a major crisis could persuade Rabin to make this decision is a sad commentary on the seriousness with which the government treats domestic issues.

Rabin is a tireless worker. But as long as he devotes much of his time to the peace process he is doing the electorate an injustice by keeping major ministerial portfolios to himself. It is even questionable that he should hold on to the defense ministry, although past premiers have set a precedent for this. Deputy Defense Minister Mordechai Gur, who certainly has the qualifications for the job, should relieve him of this burden.

And if the interior and religious affairs ministries must be kept open until the Shas party decides to join the coalition, they should be temporarily handed over to ministers who are less preoccupied than Rabin. The interior ministry, in particular, is so backed up with building licenses awaiting approval, that replacing Rabin with a minister who can devote more time and energy to daily tasks is imperative. The taxpayers deserve no less.

Kentucky Fried China

THE clearest clue to President Clinton's remarkable about-face on China's human rights record came yesterday when Kentucky Fried Chicken said that, following the renewal of favored trading status, it plans to invest \$200 million in China. The company said the country could be its biggest market in 10 years.

Here is the clear signal from a quintessential American business empire that the potential of the world's biggest and fastest growing marketplace far outweighs its immediate importance as a regressive center of human rights violations. For the past five years Congress has pointed the MFN gun - most-favored nation trade privileges - at the heads of those trying to reform the Chinese economy. This has been a failed attempt to force them to reform also their nasty communist repression of free speech and political activity.

"Reform human rights or lose MFN" was an important plank in President Clinton's election campaign, when he berated George Bush for tolerating rights abuses in China in order to promote trade. Read those lips? The market proved mightier than the mouth and not only has MFN been renewed, but the Chinese gained an extra bonus in having the whole low-tariff trade issue taken out of the democratic rights arena.

Once again there is a problem in assessing an action of this US president. It is all too easy to say, as most commentators have, that this is another shifty, weak-kneed cave-in to expediency. However, as Clinton is trying to plow his own furrow in the post-Cold War field he inherited, such policy changes could just as well be courageous, intelligent and far-sighted. It is like the old irony that it takes real bravery for a wartime conscientious objector

to stand up and be reviled as a coward by peers who merely follow the herd to battle.

Since Clinton has been agonizing over the China issue for some months, he may have come to the conclusion that what is important is not China's communism but its culture - particularly that of its leaders. He would not be the first intelligent foreigner over many centuries to apprehend that China's rulers fear losing face and power far more than they fear any actions by foreigners.

The annual MFN debate has become something of a seasonal mating ritual. As renewal time approaches, liberal growls rumble forth from the US administration. The Chinese bristle and say they won't be told what to do. They lock up some dissidents, only to release them near MFN day and hope this will be read as a symbol of "an improving situation." Clinton's decision to end the farce will be judged by its historical consequences. Allowing China full rein to develop its economy along free-market lines may be the best long-term gift to its democracy campaigners, even if there are some short-term losses. Once Hong Kong comes under Beijing's wing in 1997, China's economic power will become more enormous, but so will the dynamics of change.

No one doubts Clinton's genuine concern about human issues either at home or abroad. Whether he has the skill to transform them into pragmatic long-term policies instead of knee-jerk emotionalism, only time will tell. It is to be hoped that he is also considering tough responses should China now fail to respect the face-saving goodwill gesture offered by Washington, and clean up its human rights act. But for the moment, Clinton too deserves the same benefit of the doubt that he has recently granted Beijing.

LETTERS TO THE EDITOR

SWEDISH OPERA

Sir, - On Monday, May 16, I had the pleasure of attending the opening performance of *Turandot* in Jerusalem at the Israel Festival. Musically and artistically, it was an interesting production warmly received by the Israeli public. Unfortunately, it was marred by the addition of Arabic superlatives to the Hebrew ones.

In recent years it has become customary to include superlatives to help the audience more fully appreciate the artistic range of operatic productions. Consequently, the superlatives are usually projected in the language of the audience. The Israel Festival productions are attended mostly by Israeli Jews, with some non-Israelis residing or visiting here. Among the latter group are many who do not know sufficient Hebrew to read the superlatives and whose common language of communication is English, certainly not Arabic.

Members of the Israeli press as well as individuals who regularly

attend the Israel Festival events claim that they do not recall seeing Arabs in the audience even once. This clearly shows that Arab attendance at these events is a rare occasion.

Given these circumstances, one wonders what was the purpose of the Swedish producers and sponsors of this event in insisting on inclusion of Arabic superlatives. Clearly, the intent was something other than helping the audience to appreciate the beauty of the art. Quite the contrary, my Israeli friend and I were angered by this injection of politics which interfered with our enjoyment of this festival event.

We are also saddened by the lack of sensitivity on the part of the Israel Festival organizers who accepted this offensive political appendage to an artistic statement.

BORIS BRESLER
Jerusalem.

WRITERS IN ISRAEL

Sir, - The Israel Association of Writers in English is pleased to announce the forthcoming publication of *arc 9*, edited by Robert Friend. Copies can be obtained by sending NIS 15 to *arc 9*, P.O.B. 39385, Tel Aviv 69313. Submissions to *arc 10*, to be edited by Elazar, should be sent to Elazar, The White Raven Bookshop, 1 Tchernichovsky St., Tel Aviv 63291, by September 1, 1994.

Writers wishing to apply for membership in the Association should write for applications to

P.O.B. 39385, Tel Aviv 69313. Minimum requirements include the publication of at least one volume of literature.

A poetry reading on May 30, featuring members of the Israel Association of Writers, will be held at 7:30 p.m. at Writers' House, 6 Kaplan Street, Tel Aviv.

KAREN ALKALAY-GUT
Chair, Israel Association
of Writers in English
Tel Aviv.

"BEGIN'S PROBLEMS"

Sir, - Dr. Benjamin Kallner's letter of May 17 about "Begin's problems" reads, in part: "I am appalled at the silence of the media, which claim to be the watchdog of the right of the people to know. How come there is no demand to expose and punish those who knew [about former prime minister Begin's psychiatric problems], or should have known? These people should be barred from holding public office in the future."

I do not understand whether Dr. Kallner would like the people in public offices to be barred or those who know (or knew, in the case of the late Mr. Begin) and did nothing about it. Just in case he refers to the latter, let me set the record straight.

In my capacity as correspondent in Israel for the *London Evening Standard* (then as well as now), having learned of Mr. Begin's serious condition and checked it out to the best of my ability, I published the story in the *aforementioned* newspaper, causing a major uproar in Israel when the media here quoted from my story in the *London paper*.

One of those who phoned me after publication was Mr. Yehiel Kadishai, Mr. Begin's most faithful aide. He began the "conversation" by cursing me and asking if I was a medical expert to publish such "lies" about Mr. Begin, etc. He argued on for a good few minutes and, without letting me put a word in, hung up, and Mr. Begin continued in his post until his resignation in the wake of the invasion of Lebanon.

THEODORE LEVITE
Ramat Gan.



Method to his madness

SHLOMO GAZIT

UNTIL recently, everything we knew about PLO Chairman Arafat came down to us via intelligence. Our sources of information were his friends, enemies, confidants and interviewers. But over the past nine months, things have been different. Israel's leaders, those who have had to negotiate with him, see how good he is about keeping his commitments and "do business" with him, have come to know him directly.

What quickly became clear was that our intelligence sources had been accurate. Arafat is intolerable and impossible. More - and this we also got from our intelligence - it's only by being intolerable and impossible that he has been able to maintain his grip as undisputed leader of the Palestinian national movement for nearly 30 years.

And only by being this way has he succeeded in promoting his people's interests.

When we criticize the man and his leadership, we should understand that this isn't a case of madness for its own sake. There is indeed method to Arafat's madness. Wanting to make the most of a bad deal, he is trying to make the Oslo and Cairo agreements - bad from the Palestinian vantage point - better.

A bad deal, unacceptable from the Palestinian point of view, isn't necessarily a good deal for Israel. On the contrary: the only good deal is one both sides can live with. Anything else is doomed to failure. It would only boomerang on both sides, ending in violent confrontation, with all its ramifications.

The main limitation of the Oslo and Cairo agreements, as far as the Palestinians are concerned, is that they are interim agreements, with no understanding as to the next stage.

True, negotiations on final arrangements have been agreed on, even down to the details of what those negotiations will comprise. It has also been determined that they should be held no later than two years from the signing of the interim agreement, and that the transition to a final arrangement

should take place no later than five years from the signing of the agreement.

But, as the nine months that have passed since Oslo have shown, timetables don't mean much.

Arafat's antics hide an unwavering purpose

ANYONE with eyes in his head knows that the chances of the two sides reaching agreement on all the issues are zero.

That being the case - and this is the chief danger that lies in wait for the Palestinians - they are likely to be stuck with Gaza and Jericho, with nothing else to follow. The bulky agreement Arafat signed in Cairo is of no interest to him. What he wants to ensure is that the interim agreement leads to a sovereign, independent Palestinian state. He wants, moreover, to ensure that this state will spread out over all of the West Bank and Gaza Strip - or at least that its borders stretch as near as possible to the Green Line.

He wants to ensure that east Jerusalem becomes the capital of the Palestinian state, and that the problem of the Palestinian diaspora gets solved by "the right of return," at least to the borders of the Palestinian state.

If we overlook the PLO leader's intolerable style, what specifically is he struggling for?

● In his sickening antics at the Cairo signing ceremony, Arafat was insisting on two things.

He wanted to expand the borders of the "Jericho district" so as to create a common Palestinian-Jordanian border. He also wanted to sever Israel's contiguous sovereignty in the Jordan Valley rift, thus torpedoing the chances of the new hawkish Labor "Third Way" movement. He also insisted on having a Palestinian policeman on the Allenby Bridge - again, out of the desire to link Palestinian sovereignty geographically with Jordanian sovereignty.

● In his speech in Johannesburg, Arafat clarified two things: The Palestinian national movement, together with the Arab and Islamic world, will not accept Israeli Jewish sovereignty over the Islamic holy places. This is perhaps the only issue that can unite the Islamic front in its holy war!

Shrewdly, he sought to clarify that the Palestinian side will not be content with the Gaza/Jericho First track. If a comprehensive final agreement isn't achieved, the Palestinians won't be able to keep even the commitments they have put their signature to.

Arafat's impossible leadership and mad methods have implications which Israel must be aware of, and must prepare to deal with as soon as possible.

The writer, a former head of military intelligence, is a senior research fellow at the Jaffee Center for Strategic Studies of Tel Aviv University.

Political barrel in ferment

SUSAN HATTIS ROLEF

HAIM Ramon's astonishing success in the Histadrut elections and the new stage of the agreement with the Palestinians are behind the current ferment in our political system.

Within the Labor Party, there is new stress on the differences between doves and hawks, while the gap between the social-liberals (Ramon's supporters) and social-conservatives (supporters of the Histadrut establishment) has deepened.

In the aftermath of Oslo, Labor was remarkably united behind Prime Minister Rabin's policy. But now that preparations for the next stage in the peace process need to get under way - against the background of the rather bumpy implementation of Gaza/Jericho First and Secretary of State Christopher's efforts to get talks between Israel and Syria off the ground - visible cracks have appeared in this unity.

Ramon's Histadrut victory increased dissatisfaction inside the party over the way it was being run by its current secretary-general, Nissim Zivli. Many hold Zivli personally responsible not only for Labor's disappointing showing in last November's municipal elections and the shambles of the recent Histadrut elections, but also for the party's growing financial and organizational difficulties. This explains Industry and Trade Minister Micha Harish's proposal for a commission of inquiry within the party.

While one section in the party seems to be sulking in a corner, making it difficult for Ramon to pluck the fruits of his victory, another section is worrying about Ramon's decision to set up a new social-democratic party rather than work his way back into the Labor Party leadership.

Power struggles among various groups and individuals within La-

bor have added to the turbulence. Ramon's friends within the party - members of the Mashov and Kfar Hayarok groups - are naturally trying to cash in on Ramon's success, hoping the premier will be offering them at least one ministerial portfolio in the near future.

In reaction to the proposal by Deputy Foreign Minister Yossi Beilin that Labor and Meretz

But despite the agitation, Israelis are likely to be drinking the same old wine for a while

unite, so-called "centrist" Labor Party members have started meeting again. There was a curious gathering last Friday between several members of this group and a number of more pragmatic Likud MKs.

Within the Likud, dissatisfaction with party leader Binyamin Netanyahu has been growing. Ariel Sharon has finally announced his intention to run for the premiership in the next elections at the head of the "national camp."

Add Netanyahu's announcement of the establishment of something resembling a shadow government, the Labor-Likud get-together and MK David Levy's persistent sulking, and the general picture in the Likud is almost as fuzzy as that in Labor.

As Haim Haberfeld and his colleagues are forced to come to terms with the new reality in the

Histadrut, a coalition agreement will likely be signed between Ramon's list and Labor, and a great joint effort made to proceed on evolutionary rather than revolutionary lines.

Very likely, nothing will come of Beilin's idea of uniting Labor and Meretz. But if Ramon finally decides to establish a new party, it is quite possible that most of Labor's doves will be tempted to join it. This will open the road to a coalition between the remainder of the Labor Party and Likud pragmatists, which will in turn encourage Likud hardliners to strengthen their ties with the political groups to the Likud's right.

Such a redistribution of political forces seems logical - although logic may not, in the end, be the determining factor.

Much also depends on what happens in Gaza and Jericho. Should the Palestinians try to be too clever, or let their imaginations get the better of them, changes in Israel's political alignments are more likely to occur. But if, on the other hand, they demonstrate political maturity and sobriety, the current political alignments are likely to endure, with only moderate changes.

While attacks on Zivli's position as Labor secretary-general and Netanyahu's leadership of the Likud are likely to grow, neither is likely to step down or be deposed in the foreseeable future, even though their respective parties would benefit from a change.

The problem is that both personalities were democratically elected to their positions. This doesn't just make their removal problematic. It also raises nagging questions about the democratization process both parties have undergone over the last few years.

The writer is editor of the Labor movement's monthly, *Spectrum*.

The pink patch

GABRIEL ROTELLO

IN March, amid a flood of international outrage against those smug pseudo-historians who deny the Holocaust, Germany's Parliament quietly repealed Paragraph 175.

The vote received almost no attention in the US, which is hardly surprising because almost no one there knows what Paragraph 175 is, what it meant, or what it did. But in this climate of fervent attachment to the principle of "Never Forget," it seems fitting to take a moment to remember.

Paragraph 175 was the German law criminalizing homosexuality. In the 1930s, the Nazis strengthened it by including not only gay sex, but even "thoughts" of gay sex and "visual contact" between men.

The paranoia of US servicemen today about being ogled in the showers, or about what the gay in the next bunk might be thinking, was shared by Nazis, who criminalized looking and thinking and began, as early as 1934, to round up the lookers and thinkers.

Liberation after the Holocaust didn't extend to gays

Weimar Germany had produced the world's first gay liberation movement under the influence of sexologist Magnus Hirschfeld, a German Jew who sought to replace homophobia with scientific understanding.

When the Nazis came to power they denounced sexology as "Jewish science," burned its institutes and publications (the most famous newscast clip of a Nazi book-burning was of Hirschfeld's library), and hustled thousands of openly gay Germans into camps where they were subjected to gruesome experiments, including castration. Few survived, and gay liberation was derailed for decades.

There was nothing unique about the Nazis' treatment of gays, of course. A lot of others had it as bad; the Jews, in their millions, had it worse. What was special about gays was what happened afterward.

At the end of the war, homosexuality was still illegal in the United States, the Soviet Union and Great Britain, and it seemed only natural for the liberating Allies to continue enforcing Paragraph 175. When camp inmates were discovered to have been imprisoned for homosexuality, they were routinely reimprisoned to serve out the remainders of their sentences.

SO AS the world shuddered at the horrors uncovered in the camps, as war crimes trials began and contrite Nazis stood in courtrooms and it was declared that Germany's guilt would last a thousand years, as the German government enacted laws to pay reparations to survivors, as the flow of books and documentaries commenced, as the vivid phrase "Never Forget" was coined, the ragged and often castrated survivors of the century's first gay liberation movement were busy themselves.

Busy denying that they were gay. Busy denying that they had ever been in the camps. Busy burning their camp uniforms and pink triangles. Busy burrowing back into the closet, and trying to forget that they had ever dared to come out.

As they aged and died, their stories died with them. Amid the great outpouring of Holocaust scholarship, not a single book was written about the gay Holocaust for over 35 years, and historians found that gay survivors almost always refused to discuss their experiences, cast as they still were in the shadow of Paragraph 175.

In 1969 the law ceased to be enforced, but it remained on the books, a lingering reminder to Germany's fledgling gay rights movement of the fate of its predecessor. Only in March, as part of the German reunification agreement, was it finally repealed.

Today, amid another kind of gay extinction, it's reassuring to know that the Holocaust Museum in Washington is making a serious attempt to document the Nazis' war against gays, and at least one excellent book, Richard Plant's *The Pink Triangle*, is available.

But to anyone who believes that silence is the surest form of denial, it seems painfully ironic that during the recent spate of public outrage against those who deny the Holocaust, the repeal of Paragraph 175 has been so universally ignored.

The writer, former editor of *Outweek* magazine, writes a weekly column for Newsday.

Mondo Murdoch

Networking, Globally and Relentlessly

By RICHARD W. STEVENSON

LONDON
It has always been Rupert Murdoch's nature to shake things up. For more than four decades, since he took over a newspaper in his native Australia in 1953, Mr. Murdoch has circled the globe, accumulating vast power and wealth at every stop, and spending it freely to acquire whatever media or entertainment property fit his strategic vision of the moment, establishment and status quo be damned.

His latest display of audacity came last week in the United States when he engineered a \$500 million deal to sign up 12 additional big-city television stations as affiliates of his Fox network, luring eight of them away from a startled CBS. The move, coming just months after Mr. Murdoch agreed to pay \$1.6 billion to wrest from CBS the rights to broadcast National Football League games over the next four seasons, moved Fox indisputably into the first rank of the American television industry just eight years after Mr. Murdoch set out to build a network.

Yet, as huge an achievement as the Fox network is for Mr. Murdoch, it is only one element of a strategy of pushing aggressively into television worldwide. Through his News Corporation, he has also assembled a string of fast-growing television ventures in Europe, Asia and Latin America. And just as Mr. Murdoch's blatant political use of his newspapers has always generated unease, his emergence at the head of a pack of would-be television tycoons, a satellite-age combination of William S. Paley and William Randolph Hearst, has again focused attention on questions about his motivations and intentions that even the closest observers of his career have difficulty answering.

"What he's doing is terribly interesting and important," said William Shawcross, the author

of the 1992 biography "Rupert Murdoch: Ringmaster of the Information Circus." "I wouldn't pretend to predict what the impact around the world will be. But Rupert Murdoch is an extraordinarily energetic person, and usually his gut reaction turns out to be correct."

Mr. Murdoch along with Ted Turner, Time Warner, the British Broadcasting Corporation and most of the other big players in media and entertainment are all scrambling to take advantage of immense shifts in the structure of the television industry around the world. Not only are governments increasingly giving up their control of the airwaves by privatizing their broadcasters and allowing commercial television, but satellite technology has largely made national borders irrelevant.

The Many Owned by the Few

And, paradoxically, at a time when Americans are witnessing explosive media growth encompassing not only the rise of Fox as the fourth American broadcast network but a host of new TV and telecommunications outlets, Mr. Murdoch is the prime illustration of how much of the diversity appears to be coming under the control of a few international giants — nascent global networks of a sort. Power is concentrating in the hands of those with the money, the experience and the programming to establish the big regional systems of today — and to weather slumps in growth like those forecast for the American cable TV industry at its convention in New Orleans last week — leaving them poised to control the still-to-be-designed information and entertainment delivery systems of tomorrow.

"The rewards go to the bold," said Mr. Murdoch.

He is by no means unaware of the power he can wield. Last year, when he acquired control of Star TV, a satellite broadcaster that beams

programming into China, India and most other countries between Israel and Taiwan, Mr. Murdoch spoke almost reverently of what can be accomplished through the technology he controls. "Advances in the technology of telecommunications have proved an unambiguous threat to totalitarian regimes everywhere," he said. "Satellite broadcasting makes it possible for information-hungry residents of many closed societies to bypass state-controlled television."

But by early this year, Mr. Murdoch was finding out just how tricky his position could be. Star TV had been carrying the BBC's World Service Television into China via satellite, and the Chinese authorities had become increasingly unhappy with the BBC's news and documentaries about China. They let Mr. Murdoch know about their unhappiness. Soon after, Mr. Murdoch, self-styled foe of totalitarianism, dropped the BBC from Star's service in China.

In an interview last week, Mr. Murdoch said the removal of the BBC from Star was part of a business decision involving his desire to develop his own news service for the region, where Star has 3 billion potential viewers. But he admitted that pressure from the Chinese authorities, who have been clamping down on the installation of satellite dishes, played a role in the decision. "We certainly took the BBC off because it was having an enormous effect with those who make the laws in China," he said.

His decision brought widespread criticism. Without naming Mr. Murdoch, Chris Patten, Britain's Governor in Hong Kong, said it was "the most seedy of betrayals" for those who champion freedom of speech in one country "to curtail it elsewhere for reasons of measurably short-term commercial expediency." It is most uncharacteristic of

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Balkan Road Signs: This Way to Chaos

By ROGER COHEN

ZAGREB, Croatia
PART museum pieces, part twisted jokes, the road signs of the former Yugoslavia now chart a nation's destruction. There are countless signs to towns that cannot be reached, countless towns for which there are no longer any signs, and countless reasons for supposing that towns indicated have been reduced to rubble anyway or are swiftly headed that way.

Drive east from Zagreb and a strange thing happens. There is nothing to the east of Croatia. Europe plunges into a nameless abyss, for Serbia, and its capital, Belgrade, are too malevolent to mention.

They have disappeared without trace from road signs on what was once the main Yugoslav highway linking Zagreb and Belgrade.

This highway, known under Tito as the "Road of Brotherhood and Unity," was cut during the 1991 Serbian-Croatian war. Then, in September 1992, Cyrus R. Vance, a United Nations mediator in the Balkans, announced that he had secured an agreement between Croats and Serbs to reopen the road and rename it — of all things — "Road of Peace." The road never opened, peace never came, and Serbs never gave up their hold on about one-quarter of Croatia.

Signs on the highway near Zagreb, now indicate Slavonki Brod, and even the bustling village of Lipovac (once about as well known in Zagreb as South Orange, N.J., but now thrust to prominence by the fact that it stands on the Croatian side of the border with the Serbian vacuum).

Budapest — anathema to Croats during the nation's long subjection to the Austro-Hungarian Empire — has also gained favor as a mentionable foreign capital.

"Mass psychology here does not al-

When roads go nowhere, you can't get there from here.

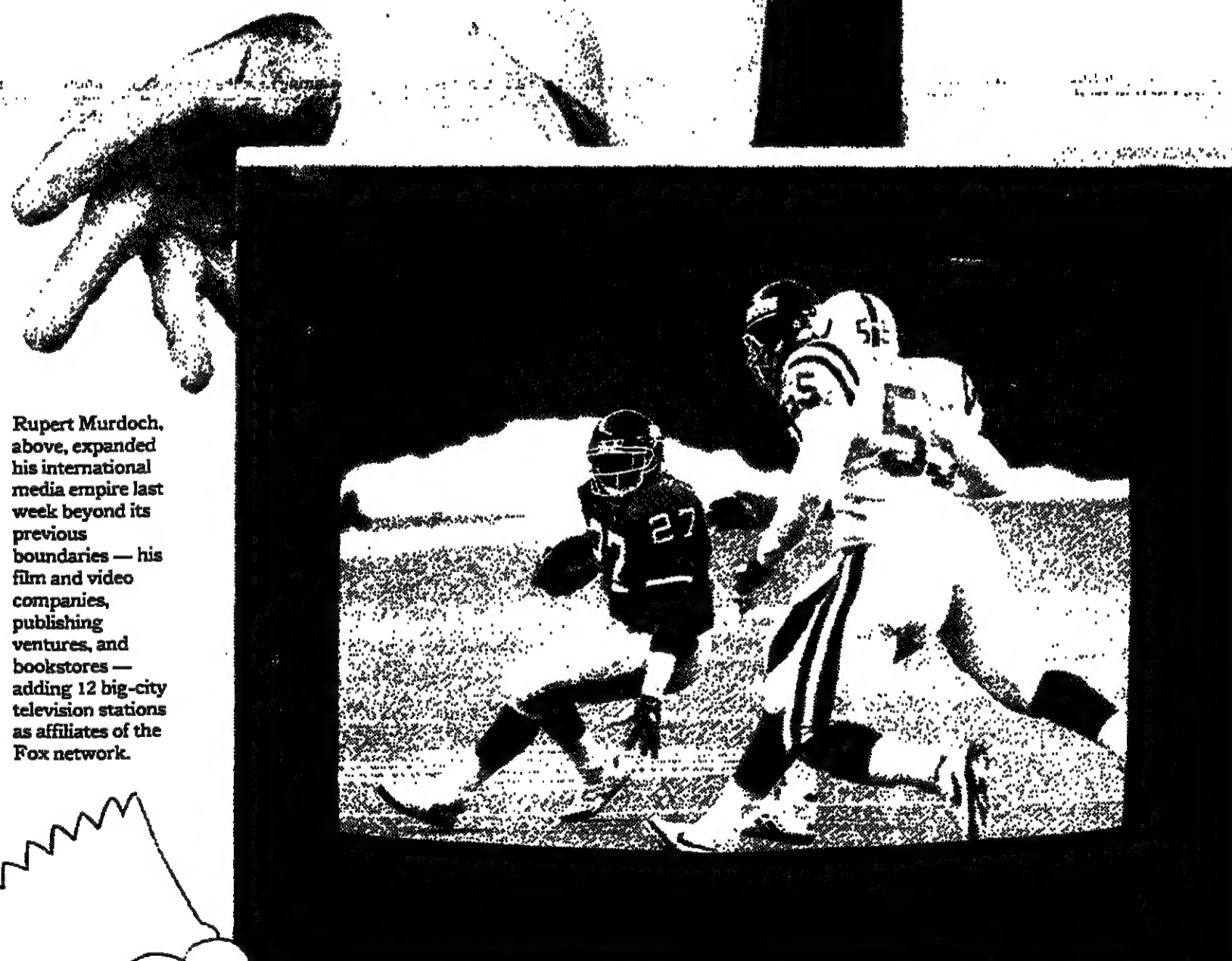
communities will peace finally come, and, with it, some chance of making a living.

Consider a sign on the main road out of Tuzla, the largest Bosnian town after Sarajevo that is still in the hands of the Muslim-led Bosnian Government. It reads: "Zagreb 325 kilometers. Belgrade 227 kilometers. Sarajevo 120 kilometers."

The sign points to roads that were the main arteries of Yugoslavia and are still essential to any economic revival in this region. But because roads north of Tuzla are cut by the Serbian lines in and around Brcko, Zagreb is in fact well over 1,000 kilometers — 650 miles and more — away, via the southern coastal towns of Split and Rijeka.

Belgrade lies beyond enemy territory and can scarcely be visited by the Muslims of Tuzla. For anyone else, a journey to the Serbian capital that avoided the front lines of the Bosnian war would involve a three-day

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Rupert Murdoch, above, expanded his international media empire last week beyond its previous boundaries — his film and video companies, publishing ventures, and bookstores — adding 12 big-city television stations as affiliates of the Fox network.



Last week's announcement came a few months after Mr. Murdoch agreed to pay \$1.6 billion for the rights to broadcast National Football League games over the next four seasons. And the expansion of Fox's programming and outlets is just one element of Murdoch's global telecommunications ambitions.

BARNES & NOBLE BOOKSTORE



Solzhenitsyn: The Sequel Can a Russian intellectual survive without the oxygen of oppression?

By Steven Erlanger

2

The Uses of Bigotry Denny's dished out discrimination the old-fashioned way: blatantly.

By Stephen Labaton

3

Ideas & Trends

If Russians Can Talk Freely, What's to Write About?

By STEVEN ERLANGER

MOSCOW

THE return of Aleksandr I. Solzhenitsyn to an ambivalent, even bemused Russia has occasioned the sort of intellectual skirmish that evokes even more nostalgia for the old, orderly days of totalitarianism, when truth-telling was cherished for its scarcity and its risks.

In today's Russia, Mr. Solzhenitsyn has been attacked for being an irrelevance, a pompous bore, a publicity fanatic and even "a walking skeleton"; he has been defended just as vehemently, but often as an afterthought to a vitriolic attack on those who presume to attack him.

"Everyone knows his name, but no one reads his books," wrote one young critic, Grigory Amelin, in a slashing article in *Nezavisimaya Gazeta* called "Live Not by Solzhenitsyn." Unable to understand either the West or Russia, Mr. Amelin wrote, Mr. Solzhenitsyn — "our Voltaire from Vermont" — "is a spiritual monument, a hatrack in an entrance hall, with fierce pride, numerous prophecies and something else on it that requires naphthalene to keep the moths away."

Mr. Amelin was guilty of two sins: being young, only 34, and making the point that intellectuals in general are not very relevant to today's Russia. For centuries, like Pushkin and Tolstoy, they were moral Davids confronting the totalitarian state, czarist or Soviet. But what does David do without Goliath? Most of the intellectuals so important to the end of Communism, like Yuri Afanasyev or Gavril Popov, have dropped out of politics altogether, and their departures are not widely mourned.

Mr. Amelin was viciously attacked by many, including Vladimir Bukovsky, who claimed "to detect something familiar in the tough expressions he uses so lavishly," a clear reference to the K.G.B., and then wondered: "It seems strange that *Nezavisimaya Gazeta* published Amelin's effusion so readily."

The paper's editor, Vitaly Tretyakov, then attacked Mr. Bukovsky as the sort of former dissident and current "democrat" who slanders as freely as the K.G.B. once did and who, like his former persecutors, can brook no opposition.

The heat and fury are reminiscent of older wars

about topics that shook the nation during glasnost or even before, during de-Stalinization, when Mr. Solzhenitsyn's own "One Day in the Life of Ivan Denisovich" revealed the nation's crimes, and thus its soul, to itself.

Today, such revelations have become banalities. Much of the current debate about Mr. Solzhenitsyn's return has been carried out in a small circle of publications with an elite but tiny readership. It has been an argument among the self-selected, while the busy, metallic cacophony of Russian life goes on unheeding.

Whatever Mr. Solzhenitsyn's reception may be on his extraordinary train journey west across this vast continent — to the Finland Station, only the long way around — the debate that preceded his arrival in Vladivostok does raise the question of whether intellectuals are quite so interesting when they are no longer dissidents. Truth alone has lost the power to shock; these days, it is honesty that amazes.

Being an intellectual in Russia — an "intelligent" — has always been a strange occupation, with a clear caste-like solidity. In Soviet times, certainly, intellectuals were regarded by the party as useful — if pompous — idiots, handymen wielding just another sort of tool, the word, in the great construction of socialist propaganda. Intellectuals had unions, just like factory workers (and just as weak and co-opted as theirs); intellectuals got regular paychecks for their irregular work, as if they punched in and worked on the assembly line.

For too many of them, that security added to their sense of permanence and their extraordinary ability to adjust to current intellectual norms, however dishonest, in order to preserve their salaries, benefits, dachas, royalties and the rest.

The real truth-tellers, like Mr. Solzhenitsyn, were by definition dissidents, as disaffected from the great falsifying work of socialism as any Jewish refusenik or human-rights activist. They were the dangerous people, and the state imprisoned and murdered them, if they were little known enough, or expelled them, if they were too big to kill.

If anything, this is the subtext of the intellectual debate now, when Mr. Solzhenitsyn, who suffered for his commitment to truth, returns to a country full of those who capitulated, swallowing down the degradation he rejected. Now, as in the West, one can say almost anything without fear of punishment. But the number of



Can writers still inspire Russia? Tolstoy, left, in 1909, and Solzhenitsyn, as he came home last week.

those now eager to hear any particular truth is very small. And the undeniable power of his work on the Gulag, once passed hand-to-hand in samizdat manuscripts, contrasts oddly with the tedium of his epic, unread and mostly untranslated saga of the revolution, "The Red Wheel," or his sometimes peculiar and tendentious views of Russia today.

Who's Apologizing?

As Valentin Aleksandrov wrote recently in *Nezavisimaya Gazeta*, it's not Mr. Solzhenitsyn but "we who remain, after the fire, who need serious evaluation of the ashes." With the collapse of the Soviet Union and its bizarre political system, "there is no one left to apologize to him for his arbitrary exile." But there are "many random witnesses to the mischief brought to him and his family who are going through a kind of inner repentance," Mr. Aleksandrov wrote. "And because this repentance touches millions, it becomes the repentance of the country."

Mr. Aleksandrov is too optimistic, or perhaps nostalgic. There are many people, whether in the K.G.B. or the writers union, who could apologize, if they wanted to. But among Russians, who were complicit in the Soviet system for generations, there isn't much detectable interest in soul-searching despite Mr. Solzhenitsyn's first call, on Russian soil, for a kind of spiritual de-Nazification.

Even the Russian Orthodox Church, one of the world's most politically corrupted, has had no post-Soviet purgation.

Still, Mr. Solzhenitsyn carries with him a carefully cultivated epochal quality. And he may also be able to provide nationalism with a more honest set of values than today, argued Mikhail Leontyev in the newspaper *Sovodnya*.

"The main problem in Russia today is how to separate a nationalist from a degenerate," Mr. Leontyev wrote. An amorphous new Russia has emerged, and it requires a new national consciousness.

What's needed is less a political leader than "a symbolic moral anchor in the sea of total sellout, political cynicism and chameleon-like behavior," Mr. Leontyev continued. Mr. Solzhenitsyn, at least, is honest, a great advantage these days. "He is a zek, a former prisoner, who quickly recognizes the smell of Communist and imperial rot."

Mr. Leontyev, indulging in some wishful thinking, lays out a role for Mr. Solzhenitsyn: to formulate an honest patriotism for a Russia that is not contaminated with ultranationalism, neo-imperialism, neo-Communism or any of the other metastases of post-Soviet confusion. That task, properly the work of generations, is too much to ask of any intellectual these days, let alone one who has succeeded in tiring even his contemporaries with his monkish, insistent, prickly view of the past.

Murdoch Assembles a World Network

Married With Global Reach

UNITED STATES

News America Publishing Inc.
New York

Barnes & Noble
New York
Bookstores

Fox Inc.
Los Angeles
Holding company

Twentieth Century Fox Film Corp.
Los Angeles

The New York Post
Newspaper

HarperCollins Publishers
New York

ScottForesman (formerly Scott, Foresman & Company)
Educational publishing

News America FSI
New York
Free-standing newspaper inserts

Fox Video
Los Angeles

Motion picture and television production and distribution, film processing, video cassette manufacturing and distribution

San Antonio Express-News
Texas
Newspaper

HarperAudio
New York
Books on tape, original spoken recordings

The Zondervan Corporation
Grand Rapids, Mich.
Publisher and distributor of religious books and music

Murdoch Magazines
New York

Fox Television Stations
Los Angeles

FX (Formerly Fox Cable)

News and Electronic Data
Clinton, N.J.
Information services

HarperCollins College
New York

Ballinger Publishing Co.
Cambridge, Mass.
Social science reference books

Mirabella
New York
Fashion

Operates stations, has 140 affiliates

Fox Video (formerly CBS Fox Video)
Los Angeles
Movies, music and educational services. Joint venture with CBS

Delphi Internet Services Corp.
Cambridge, Mass.

HarperCollins Junior Books
New York

HarperCollins San Francisco

TV Guide
Radnor, Pa.
Television

WATL Atlanta

KDFX Dallas

Kesmai Corp.
Charlottesville, Va.
Video game development

HarperCollins Trade
New York

Basic Books, Inc.
New York

KRIV Houston

WFLD Chicago

New World Los Angeles
12 television stations; Fox bought nonvoting shares last week

Etak, Inc.
Menlo Park, Calif.
Digital map data

HarperCollins Trade
New York

KITV Los Angeles

WNYW New York

KSTU Salt Lake City

WTTG Washington, D.C.

HarperCollins Trade
New York

HarperCollins Trade
New York

Source: News Corp. Ltd. annual report

Rupert Murdoch

Photograph by Reuters

PARENT COMPANY

The News Corporation Ltd.
Sydney, Australia

Rupert Murdoch, chairman of the board and chief executive officer

OUTSIDE U.S.

News Limited of Australia
Sydney

The Herald & Weekly Times Ltd.
London
Newspaper

Fox Video (Spain)
Madrid

Star TV
Hong Kong
Satellite television broadcaster

Ansett Transport Industries Ltd.
Melbourne, Australia
Air cargo carrier

Fox Video (Far East)
Tokyo

Sky B
London
Satellite television broadcaster. Owned with Pearson p.l.c.

Fox Video (France)
Paris

Fox Video (Germany)
Munich

Geographia Ltd.
Edinburgh, Britain
Map and guide publisher

Fox Video Ltd.
London

Fox Video (New Zealand)
Auckland

News International
London
Publishing

Fox Video (South Pacific)
Auckland

The Sun
London
Newspapers

Fox Video (South Pacific)
Auckland

Times Newspapers Ltd.
London

Fox Video (South Pacific)
Auckland

Marshall Pickering Holdings, Ltd.
London
Publishing and printing

Continued from page 1

Mr. Murdoch to remove his holdings from the political fray. His newspapers, in New York and most clearly in London, have always openly reflected his conservatism. Still, his television news programs, like Sky News in Britain, have never been accused of having a political slant, and his American TV programming is usually faulted on matters of taste rather than ideology.

In one sense, Mr. Murdoch's sensitivity to local sensibilities is common among global broadcasters. Af-

ter initially trying to sell audiences American-made or at least English-language fare, they are increasingly tailoring programming for local tastes and languages.

Mr. Murdoch still hopes to develop worldwide networks, and to sell more of the programming produced by Fox to his outlets outside the United States. But in Asia he is developing programming in Mandarin for Chinese audiences, and in Hindi for Indian viewers.

Mr. Murdoch's News Corporation has developed a web of partnerships, joint ventures and investments in broadcasting that range from co-producing soap operas

in Mexico to developing pay-television services in Germany. He has a controlling interest in British Sky Broadcasting, which can be picked up across Europe and is Europe's largest satellite-delivered service. In Star TV he has access to nearly all of Asia, the mother lode of potential audiences and advertising revenues.

Still, he faces a tough fight in most markets, both from indigenous broadcasters, which in most places continue to take most of the audience, and from other global companies. Turner Broadcasting has an international version of CNN and is selling its Cartoon Network

around the world. The BBC said this month that it was launching news and entertainment channels in continental Europe and would move later into the United States and Asia. But the 63-year-old Mr. Murdoch, with his appetite for expansion and his fascination with technology, is almost certain to emerge as a dominant force.

"It's hard to say in a sentence what makes Rupert Murdoch run," Mr. Shawcross said. "He has always been extremely competitive, and he's never satisfied with what he's got. He's always looking at the next step forward."

The Nation

Denny's Gets A Bill for the Side Orders Of Bigotry

By STEPHEN LABATON

It seemed like a bad time warp, a throwback to the era when black Americans were relegated to the rear of the bus and were turned away from lunch counters. Announcing last week that it had broken widespread discrimination at the Denny's restaurant chain, the Justice Department described incidents of bias occurring well into the 1990's, involving thousands of black customers who told of being refused service or being forced to wait longer or pay more than white customers.

Agreeing to pay \$54 million, Denny's settled two Federal class-action suits and a Virginia complaint. The cases encompassed more than 4,300 complaints involv-

The Manager

From the sworn declaration of Robert Norton filed in the class-action lawsuit against Denny's in San Jose, Calif., one of the two cases settled last week:

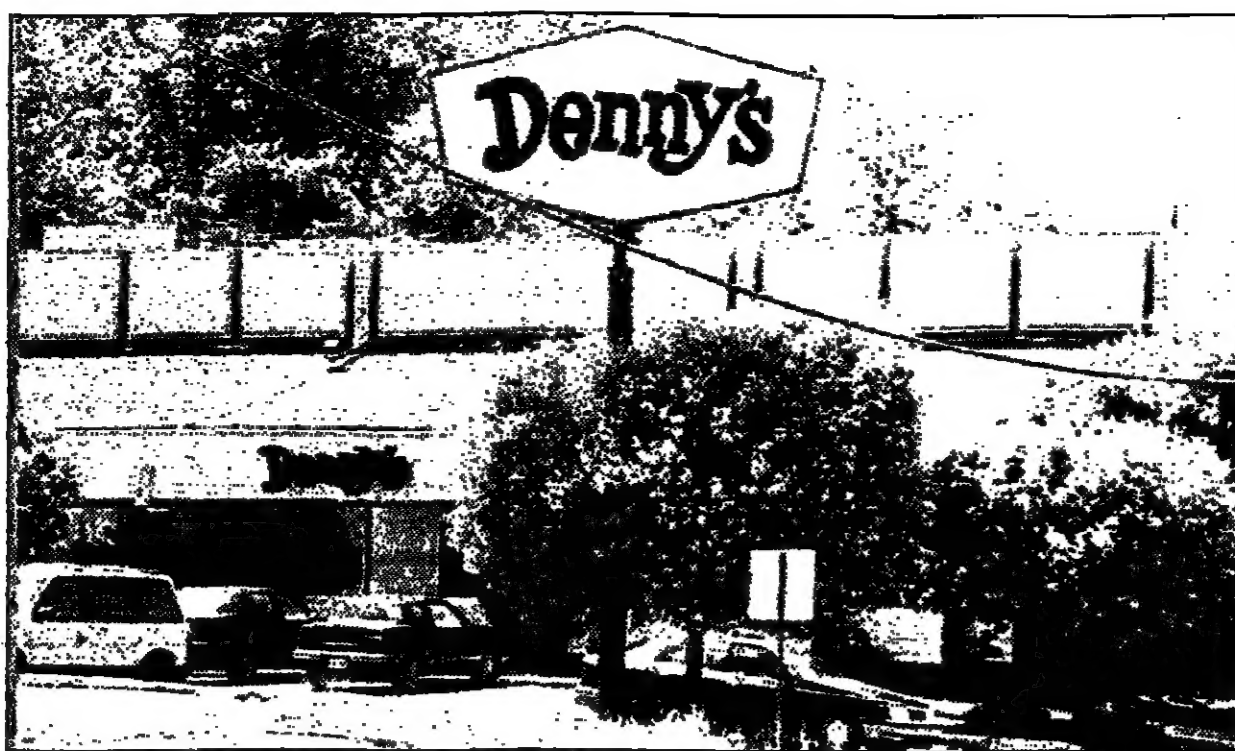
I am a white male formerly employed as a manager with Denny's restaurants in San Jose, California. . . . After approximately eight months as assistant manager at the Capitol Expressway Denny's, I was promoted to general manager of the Tully Road Denny's in San Jose. I remained in that capacity for approximately one year until I was placed on disability in May 1991.

While employed with Denny's I was instructed by my district manager to implement policies designed to limit or discourage black patronage.

Instructions on policies applied to black customers were given at district meetings and, to a greater degree, individually at the restaurants by district managers. District meetings occurred weekly, usually at the Denny's on First and Alma in San Jose. The meetings were attended by all the general managers in the district, the district manager and sometimes the regional manager. During these meetings the term "blackout" was used on many occasions in the presence of district and regional managers.

I first heard the term "blackout" when I was assistant manager at Blossom Hill. The Blossom Hill general manager commented to me that we were better off than the Tully Road Denny's because they have a lot of blackouts. At the time, I didn't know what the term meant. In time, I heard the term with enough frequency to learn that "blackout" was used by Denny's management to refer to a situation where too many black customers were in the restaurant.

At district meetings, managers would comment that they had a blackout the previous weekend and the district manager would acknowledge the problem and just ask how it was dealt with. We were taught to avoid blackouts by requiring black customers to pay for their meals in advance or simply close the restaurant for a few hours when we started getting too many black customers. Both prepayment and closing policies were discussed at district meetings. At district meetings, the upper-level managers were careful not to say too much about the discriminatory policies, but they would pull you aside later at your restaurant and tell you face to face. I took comments regarding prepayment lightly when I heard them at district meetings until my district manager spoke to me personally about the policy when I was general manager at Tully Road.



Six black Secret Service agents were denied service at this Denny's in Annapolis, Md., one of the incidents leading to the class-action lawsuits that the restaurant chain settled last week for \$54 million.

ing restaurants from California to Maryland and Florida to Connecticut. Not all the complaints were filed by blacks. A significant number came from white customers who found the treatment of blacks offensive.

The settlements left unanswered how a Fortune-500 company could have tolerated widespread and offensive conduct for so long and whether senior executives at Denny's actually promoted discriminatory policies.

Jerome J. Richardson, chairman and chief executive of Flagstar Companies, Denny's parent, insisted that the incidents were isolated and that complaints about poor service were inevitable in a chain that employs 40,000 workers and serves 1 million customers a day.

But lawyers for the black customers said that before the settlement talks cut off a brief period of fact-finding, they had begun to uncover significant evidence that executives encouraged the policies or turned a blind eye.

The lawyers said the corporation's headquarters in Spartanburg, S.C., ignored frequent customer complaints. They also pointed out the disparity between Mr. Richardson's explanation that he could not control every employee of the company and his portrayal of himself in business profiles as an active, hands-on executive who runs every detail of the 1,500-restaurant chain down to the temperature of the oil for the french fries.

"This is a very tightly controlled, hierarchical company," said John P. Reiman, a lawyer for plaintiffs in one of the suits. "In all aspects of the company, procedures were followed to the letter."

Buried in court papers were sworn statements describing scores of instances in which managers taught restaurant operators how to discourage black customers. Ex-employees described management training sessions in California where rising Denny's employees were given strategies to avoid what they called "blackouts." Blacks, especially large groups, were to be kept waiting while whites were served, or told there were no seats. Some were falsely told the restaurants were closing.

At Denny's in Delaware and Pennsylvania, managers kept logs that described when too many blacks came in. Other ex-employees said they were told to seat blacks where they would not easily be seen by other customers and away from the exits because, the managers said,

blacks had a tendency to walk out without paying. And some former managers were told about a company policy requiring certain customers to pay cover charges and pay for meals before being served. While the written policy did not explicitly refer to blacks, that was the meaning the managers took.

Glenda Cappuccilli, a former assistant manager in San Jose, Calif., said her clear impression was that the district manager "was being pressured by the management above his level to control and limit black clientele."

Mr. Richardson said there was no corporate policy to discriminate against blacks. Pressed on how widespread the problem appeared to be, he grew testy at a news conference last week, saying he was a victim of unfair allegations. "I'm prepared to apologize as many times as you want me to," he said impatiently.

Mr. Richardson, a native of South Carolina and once a wide receiver for the Baltimore Colts, founded the company with a friend more than 30 years ago. The two opened a Hardee's franchise in Spartanburg using the \$4,500 Mr. Richardson earned from the 1959 National Football League championship game.

Tax-Deductible Fines

Last October Mr. Richardson won a new football franchise in Charlotte, N.C., the Carolina Panthers. Two months earlier, he moved to head off the bias charges against Denny's. He forged an alliance with the National Association for the Advancement of Colored People, agreeing to spend \$1 billion in jobs and contracts for minorities over seven years. He has denied reaching the agreement to smooth the way for the N.F.L. to award him a franchise.

Denny's now has no franchises owned by a black, although an executive said this week that 28 applications are "in the final stages of the review process."

Flagstar runs two-thirds of the Denny's restaurants and leaves the others to franchisees. Its major owner is Kohlberg, Kravis, Roberts, the New York investment firm, which owns 47 percent of the stock. About a third of

The Customers

From a statement issued by the Justice Department last week describing civil rights violations alleged by customers of Denny's:

The Thompson Family. Sue Thompson is Samoan. Her husband, Danny, is African-American. On Dec. 11, 1991, they and their three children, Rachel, Jason and Danny Jr., went out to dinner to celebrate Rachel's 13th birthday. Because it was Rachel's birthday, she got to pick the restaurant. She chose a Denny's restaurant in Vallejo. At the time, Denny's offered a free meal to a customer on his or her birthday.

When the waitress took Rachel's order, Mrs. Thompson informed the waitress that it was Rachel's birthday and gave her Rachel's baptismal certificate, which contained her birth date. The waitress did not look at the certificate, but immediately said she would have to get her manager to approve it. When the manager arrived at the Thompsons' table, Mrs. Thompson gave her the baptismal certificate which had Rachel's date of birth on it. The manager, however, refused to take it and instead asked for a school identification card.

When Rachel gave the manager her school card, the manager said it was insufficient. Rather than continue to be humiliated, the Thompsons left the restaurant without ordering.



Sue Thompson

The Roddys. On the morning of July 25, 1993, the Roddy family, four adults, three teens and a newborn child, were traveling from their home near Fresno on a family vacation. They stopped at a Denny's restaurant in Mojave for breakfast. Although there were many vacant booths and tables throughout the restaurant, the Roddys were told they would have to wait to be seated.

While waiting nearly an hour, the Roddys witnessed five groups of white customers totaling 15 persons enter the Denny's restaurant. These customers were all seated and served while the Roddys continued to wait. Realizing they were not going to be seated, the Roddys exited the restaurant. One of the later-arriving white customers, Michael Daugherty, left his seat and followed the Roddys outside Denny's. Michael Daugherty, his wife, Pam, and their teen-age son were also on vacation, traveling to Yosemite National Park. Michael Daugherty told the Roddys he witnessed their mistreatment and was appalled. Mr. Roddy re-entered Denny's at the insistence of Mr. Daugherty and requested the name of the manager. Pamela Daugherty has since provided a declaration attesting to the discrimination she witnessed.

Flagstar's \$3.97 billion in revenue last year came from its concessions at ballparks from Yankee Stadium to the Los Angeles Coliseum and such national parks as Yellowstone. Wall Street analysts feared those could be at risk from local political fallout over the Denny's cases.

But for now the settlement is unlikely to have a major effect on Flagstar's bottom line, not only because it is such a profitable company, but also because the payments to blacks are tax deductible. After taxes, the \$54 million settlement will cost it \$35 million.



Jerome J. Richardson, chairman of Flagstar.

The Waitress

From the sworn declaration of Sandy Patterson filed in the class-action lawsuit against Denny's in San Jose:

I am a white female formerly employed as a waitress with Denny's restaurants. During the period beginning in approximately 1974 through 1989 I worked at several Denny's restaurants in California.

During my employment with Denny's I witnessed a general mistreatment of black customers. . . . When I began my employment with Denny's at its La Mirada Restaurant, I was instructed to collect payment from certain customers at the time of service rather than after consumption of the meal. These customers were always black or other people of color.

On one occasion, in or about 1987, while I was working at Unit 1111 in Long Beach, my son and several of his friends, all between the ages of 15-18, came into Denny's for a meal. My ex-husband is black and we have eight children. I purposely kept this information from others at Denny's because I feared that if management knew I was married to a black man it might affect my job. My son, who looks black, and his friends, all but one of whom were also of color, were seated in my section and I took their order. After serving them, I was pulled aside and reprimanded by the manager for not requiring my son

and his friends to pay for their meals at the time of service. The manager . . . did not know that my son was among the group and that I was paying for their meals. I was afraid to let him know that my son was black so I merely said that I knew these kids and they were not going to walk out on their bill. The manager did not care that I knew and trusted the kids.

I also observed firsthand a number of practices employed by Denny's managers and staff to discourage black patronage. For example, while working for Denny's in Long Beach during the 1980's, I was instructed to give black customers only one complimentary refill on coffee. . . . One evening a black church group stopped into the Long Beach Denny's for dinner. I took the group's order and was told by the manager to take payment at the time of service. When I put the order up for the cook, the manager took it down and applied a 15 percent gratuity to the bill. I disobeyed that manager's instructions and did not require payment at time of service and scratched the 15 percent gratuity off the bill because I felt embarrassed by the policies. . . . When the group paid for their food, they gave me a \$20 bill as a tip on which was written, "Thank you and God bless you." . . . The next day the manager reprimanded me for deleting the 15 percent gratuity.

The Furor Over Data on Doctors

You Bet Your Life. Do You Know the Odds?

By JOEL BRINKLEY

ONE fundamental thesis runs through every health care plan now before Congress: Just give patients more information about doctors and hospitals, and they will avoid those likely to give them poor care. That will raise the quality of care and reduce costs, since medical mistakes are expensive.

But even early in the debate, those who want change are finding that they have run headlong into one of the oldest arguments in medicine, one doctors and consumer groups have been fighting over for decades: How much information about the competence of doctors are patients entitled to have?

Very little, the medical profession says. Many doctors argue that patients wouldn't understand the information because it is too technical. But consumer groups and some others want full disclosure. They say patients now have more information when they choose a car, or a washing machine.

Until now, this has remained a generally obscure row between consumer groups and the medical profession. But the national debate over health care has moved the argument to center stage. Many people may suddenly find that the doctors they have relied on for years aren't members of the health plan they just joined. Millions of people are going to have to choose a new doctor from a list, knowing very little more than name, address, specialty and price.

Which ones are superlative, which merely competent, and which below par? And who says? Today there is no easy way for anyone to know which doctors they should avoid, unless they are willing to sort through

records at the state medical board or read malpractice suits in court files.

If reform is to succeed, some in Congress say, the situation must change. And if it is to change, it will drastically alter the current role of an out-of-the-way little agency in the Health and Human Services Department — the Quality Assurance Division of the Bureau of Health Professions, which maintains a vast bank of information on doctors.

The division manages the National Practitioner Data Bank, a repository of information about 62,183 doctors, dentists, nurses and other medical professionals who have been sued, sanctioned or otherwise penalized for crimes, mistakes or incompetence.

The data bank was established in 1990 under a bill sponsored by Representative Ron Wyden, Democrat of Oregon, who argued that the medical profession often allows incompetent doctors to continue treating patients, harming or killing some, while laymen have no way of knowing who they are. "At the very least," Mr. Wyden said, "consumers have a right to know which health care providers they should avoid." But before his bill passed, the American Medical Association managed to eviscerate it.

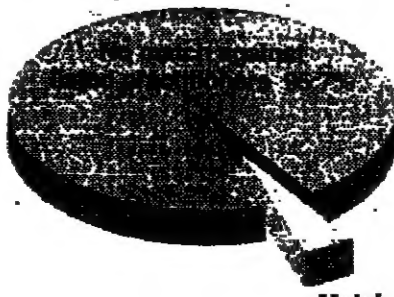
The data bank holds records of successful malpractice suits, judgments taken by state medical boards or hospital medical staffs and other legal or administrative actions against doctors. But in response to complaints from the A.M.A., the data bank was closed to the public; only hospitals, medical boards and other official bodies had access.

As part of the health plan he proposed last fall, President Clinton proposed to open up the data bank to all corners (Mr. Clinton did not specify how, although Mr. Wyden favors making reports available in public libraries). But once again the A.M.A. complained,

Caught on the List

From September 1990 through this past March, 62,183 practitioners had reports in the National Practitioner Data Bank. The reports were for malpractice settlements and judgments, as well as licensing, clinical privilege or professional membership actions.

Requests to see if a practitioner was in the data bank: 3,360,233



Source: Department of Health and Human Services

Match 4.3%

"There is no need for consumers to have this information," Dr. James S. Todd, executive vice president of the A.M.A., said early this year. "It is already in the hands of people whose job it is to protect the consumers."

Once again, the A.M.A. succeeded in watering down the proposal. The White House modified its position and said only data about doctors with serious problems — repeat of-

fenders, in other words — would be made public. No one has defined what that means. Frustrated, Mr. Wyden, with the support of consumer groups, has proposed legislation to open it to all corners, legislation he will offer as an amendment to whatever health plan Congress adopts. The A.M.A. still says the public won't understand the data. Releasing the information, the organization says, might unfairly penalize doctors, who may have erred but are not necessarily incompetent, while giving aid to malpractice lawyers.

Past Troubles Recalled

For each of the 62,183 medical practitioners mentioned, the data bank offers a factual statement of the finding against him or her and a short description of the offense. Authorized users have requested information from the data bank more than three million times and have found records of more than 36,000 practitioners who had had problems. "Found guilty of failing to practice medicine with an acceptable level of care and skill," the Florida medical board wrote of one case.

But the A.M.A. says such information might be misunderstood. "Passengers on commercial aircraft may obtain an airline's on-time record, but they are not handed a computer printout of an aircraft maintenance and repair record," Dr. Todd wrote in the current issue of the Journal of Medical Licensure and Discipline.

Congress will have to resolve the argument again. "Whether the reformed health-care market heals and comforts people, or sucks them down into a sinkhole of inaccessible, poor-quality care," Mr. Wyden says, "will depend to a great extent on the quality of the comparative information available to consumers, doctors and purchasers."



Phil Foster

The World

One Death in an Alley Gives New Life to War in Kashmir

By JOHN F. BURNS

LIKE most men in this part of the world, Imtiaz Ahmed Malik was a cricket fan. One day last month, he and many of Kashmir's other four million Muslims gathered around televisions and radios to listen to a cricket match in the Persian Gulf, where India was playing Pakistan, the Muslim neighbor that lays claim to Kashmir. Kashmir's Muslims, who have lived for 50 years under the rule of India's Hindu-dominated governments, were backing Pakistan, as usual.

From these bare facts there followed an incident that left Mr. Malik dead, shot in an alley by an Indian soldier who had been drawn to the scene by the din of raucous calls for India's defeat. For the newspapers, what happened to Mr. Malik on the afternoon of April 22 was a minor item, one more civilian statistic in the war that secessionist Muslim guerrillas in Kashmir have been fighting for four years. (The guerrillas say 20,000 people have died in the war, the Indian Army 9,000.)

Long, grinding wars in remote parts of the world tend to fade quickly from the West's consciousness, even when the human cost is high — and the costs here have been only a fraction of those, say, in Angola or Rwanda or East Timor. If Kashmir has begun to arouse more concern, it is because Clinton Administration strategists have concluded that the conflict has the potential to trigger a nuclear war between India and Pakistan. While many in the subcontinent dismiss Washington's concern as alarmism, Kashmir's victims take the view that anything that attracts attention is better than being ignored. Visitors here are besieged by Kashmiris who want to know why the world has abandoned them to what they feel is the repression of an Indian occupation force. To these people, the heart of the story is contained in what happened to Mr. Malik.

Mr. Malik died in New Fateh Kadal, a district of sinuous alleyways and wood-paneled shopfronts in one of the oldest quarters of Srinagar. When this reporter and a companion went for a stroll there, a score of angry neighbors said he had been watching the cricket match on a friend's television when the opening batsman for India, bowled out — struck out, in baseball terms — at the start of the Indian innings. This play started India on a slide to defeat — the 12th in 15 matches — at the hands of Pakistan, a team representing a land Indians have always viewed as a breakaway country born in betrayal.

But by the time India lost, Mr. Malik was dead. The seven bullets that killed him were fired by an Indian soldier who collared him in an alleyway. In another sense, though, the shot that cost him his life was the hapless strike by Mr. Adeja, the Indian batsman. According to Nabila Ji, a 38-year-old Muslim woman who had been watching the cricket match with Mr. Malik and other friends, the crucial out set off noisy celebrations in New Fateh Kadal, with shouts of "Long Live Pakistan!" and "Down with India!" ringing from rooftops and balconies as firecrackers burst in the streets.

Dozens of witnesses said the ruckus brought Indian

soldiers running from a bunker about 100 yards up the street, rifles aiming menacingly at the open windows where Pakistan's good fortune in the game was being hailed. At that moment, power in the neighborhood went out, apparently by chance. With no way to continue watching the match, Mr. Malik, a 28-year-old accounts clerk at the University of Kashmir, set out to walk around the corner to his home.

In the alleyway, Mr. Malik ran into the Indian soldiers. Miss Ji and several other witnesses said he was grabbed, pushed against the wall, and shot. Bullet holes in the blackened bricks along the alleyway suggested

Cricket fans jeered. The noise brought Indian troops, and a Muslim died. There was a new reason to hate.

shots fired virtually point-blank. From the ragged tear where the bullets punctured Mr. Malik's *feran* — a woven half-cloak worn by many Muslim men in Kashmir — it seemed probable that the man who fired (witnesses said it was a Sikh officer wearing a turban, with captain's markings) had aimed at the victim's heart.

Cricket matches have always been a lightning rod for the bitter passions underlying relations between India and Pakistan, and in Kashmir the passions are particularly inflamed. For decades now, Muslims have seen India as having broken trust when it seized two-thirds of Kashmir in 1947 — the other third fell to Pakistan — and when it then didn't honor promises to allow a popular vote on the territory's future. India, resolute against Kashmir's secession, has deployed more than 400,000 troops and police. Pakistan, equally determined to prevent Kashmiris from pursuing a popular third option, independence, has provided training, weapons and finance for pro-Pakistan rebel groups, many of whom have staged terrorist attacks.

In Mr. Malik's case, what followed his killing heightened passions still more. Three days after the shooting, while crowds were gathering each day at street corners to protest, Indian troops selected New Fateh Kadal for one of the "cordon-and-search" operations that are a feature of the Kashmiri war. Every street in the neighborhood was searched, every man pulled from his home or shop and forced to sit for hours in the street while soldiers searched for hidden weapons. The men were allowed to return home at nightfall, barring a dozen or so who were led, hooded and in handcuffs, into an armored vehicle that carried them off to prison.

In practice, India offered no other response to the shooting. The reporters who visited New Fateh Kadal questioned several of the most senior Indian officials in



Muslim women passed an Indian paramilitary guard in Srinagar, Kashmir last week, where Indian forces have broad authority in the actions they may take to control secessionist rebels.

Kashmir, to be told repeatedly that "preliminary inquiries" had established that Mr. Malik had been killed "in crossfire" between Indian troops and guerrillas who had opened fire first. Mahendra Sabharwal, Kashmir's police commander, said he had ordered an inquiry. Crossfire has been given as the official cause of the deaths of nearly 2,000 Kashmiri civilians shot dead during the rebellion; human rights groups in the state now say that any death so attributed is automatically entered as a likely atrocity.

License to Shoot

The rights groups publish detailed volumes on the killings. One titled "Massacres in Kashmir" lists 22 major incidents since 1990 in which 485 civilians were killed by Indian troops — some when their ferryboat came under fire, others when they were shot in a funeral

procession, still others when buildings they lived in were set afire. Bahuddin Farooqi, a former chief justice of the Kashmir High Court, says that harsh laws passed by the Indian Parliament to deal with secessionist rebellions give soldiers and police authority to open fire "with impunity," knowing they will escape punishment.

Mr. Farooqi, who is 70 years old, spends his days visiting the sites of alleged atrocities, writing reports and hoping he will not be visited in his home in Srinagar, as other rights activists have been by masked assassins. In New Fateh Kadal, the residents have another response. As dusk falls and smoke from cooking fires begins to settle in the alleyways, men and women and children gather, and soon a cry goes up, then a swelling chorus that echoes through the streets.

"Allah u akbar!" they shout. "God is great!" Then, in English: "We want freedom!" "We want democracy!" "Indian dogs go home!"

Only the Tribes Endure

How Yemen Is Coming Undone

By CHRIS HEDGES

ADEN, Yemen

AFEW days before full-scale war broke out this month in Yemen, armored brigades from the north and the south clashed at an army base north of the capital, Sana. The entanglement left scores of dead and wounded, and the usual detritus of battle. And in its wake, hundreds of armed mountain tribesmen, partisans of neither side, descended on the camp and made off with stockpiles of weapons and other combat gear.

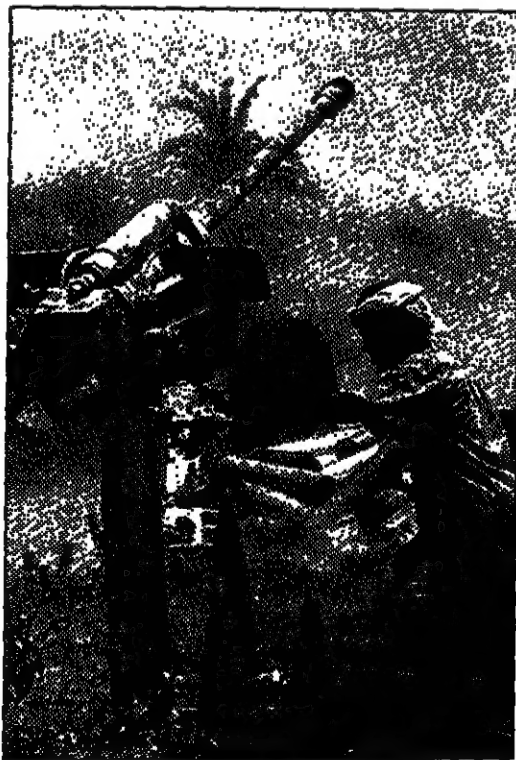
If the battle was a prelude to the vicious civil war now engulfing this country of 13 million people on the tip of the Arabian Peninsula, the stripping of the dead may be a signpost to what will follow. What Yemen entered, even before the south formally seceded, is a struggle not only between the regular armies of north and south, but among the tribes, militias, clans and families that rule patches of territory as if there were no federal government — as if the Middle Ages had never ended.

Such internecine battles characterized most of the Arabian Peninsula a century ago, before Europeans arrived in force to reorganize it according to their own interests, drawing boundaries where there were no distinct nations. And as conflicts in Somalia and Rwanda show, tribal warfare could well characterize much of the bloodletting in the developing world well into the next century. For the decline of the Europeans, followed by the disintegration of one superpower and the retreat of the other, has left governments such as those in Sana and Aden bereft of the outside backing that once allowed them to hold warring factions in check.

A decade ago, when northern and southern Yemen were separate countries, the Soviet Union and East Germany had some 5,000 military and security advisers in the south and pumped in hundreds of millions of dollars, while a jittery Saudi Arabia, fearing Communist advances and backed by the West, pumped money and weapons into the north.

The bulk of the outside support ended with the collapse of the Soviet Union, and in 1990 north and south merged in order to stave off economic collapse in the south. But the hope for a bright future has now been extinguished. The war that began on May 5 is often portrayed as the extension of a long-running feud between President Ali Abdullah Saleh, who is from the north, and his former Vice President, Ali Salim al-Baidh, who is from the south. Many Yemenis sardonically called this "the war of the Alis."

Neither side rules, however, without the backing of dozens of powerful tribal leaders. Tribes



Southern Yemeni artillery firing yesterday.

in Yemen often rule over small fiefs that Sana and Aden have been loath to challenge. This is because nearly half of the country's people live in villages of fewer than 250 inhabitants, and in these places the tribal leaders are often the only ones who can exercise direct authority. Civil war has only reinforced this, since many Yemenis, especially those in the northern capital Sana, have now fled back to their villages.

Unity's Brief Moment

Back in 1990, the merger of north and south had the support of many tribal leaders because the dream of a united Yemen had been current in both regions for decades, and because unity seemed to offer a way to reverse a steady deterioration in Yemen's standard of living. If the south was offered a chance to survive the withdrawal of Soviet aid, the central government in the north got a much larger land mass over which to rule. Later, as a result of new oil exploration in the south, it also turned out that it had obtained access to additional oil production of 140,000 barrels a day, increasing total national

production to a modest 320,000 barrels.

But whatever economic benefit accrued from unity was smashed by one of the Government's first decisions — to sympathize with Iraq in the Gulf War. Saudi Arabia, in retaliation, expelled one million Yemeni workers, ending their ability to send home some \$3 billion a year to their families and driving the unemployment rate well above 30 percent. The country also lost another \$2 billion in aid from the gulf states, the United States, Britain and other countries.

Now, with the merger itself in tatters, the northern and southern political leaderships have exhausted much of their credibility.

So as the two ruling parties, which never integrated their armed forces, tear themselves apart, the tribal leaders could well emerge as the new power brokers. Already the fighting has left hundreds, if not thousands, of casualties. It is destroying what little modern communications and transportation Yemen had, and it is exhausting the country's meager resources.

Yemen has long been home to dozens of tribes, many of which have formed powerful tribal confederations. Most of the tribes are based in the remote mountains of the north, where most Yemenis live. Southern leaders have been making overtures to the powerful Bakil confederation, and there are reports that some sections of this group, which is located in the north, are refusing to back Sana in the conflict. Tribal leaders control agriculture and commerce in their regions, and act as intermediaries with the central Government, even providing some social services like clinics that would normally be the function of a central government.

Sheik Abdullah al-Ahmar, who leads the Hashid coalition of tribes and is a member of Parliament, is already said to have 50,000 men under arms, more than the entire northern army of about 40,000. There are persistent rumors that if the war goes badly for the north, President Saleh, a member of the Hashid tribe, will find himself out of a job.

In addition, tribes have increasingly entered the struggle for diminishing resources, kidnapping oil workers, tourists, foreign diplomats and even Chinese road workers and holding them ransom for a share of the oil profits, new weapons or social services. Soldiers often desert from the army to fight in tribal conflicts, returning to duty when the warfare ends.

Whatever the outcome of the war, Yemen, which is already the Arab world's poorest nation, will be worse off. The reach of the central governments (if two, or even one, of them remain) will be weaker. And many Yemenis seem certain to award their first loyalties not to the state, which has failed them, but to the tribe, which so far has not.

Chaos This Way

Continued from page 1

trek through Croatia and Hungary.

As for Sarajevo, it lies at the far end of a labyrinth of primitive mountain roads the United Nations has put to use in an attempt to steer its aid convoys away from front lines. These trails — which boast names like "Acorn," "Finch" and "Skoda" — be stowed upon them by the United Nations — must be taken because the main road to Sarajevo is cut by Serbian forces south of Kladanj.

So the 120-kilometer Tuzla-Sarajevo journey — about 80 miles — takes about 12 hours.

It takes that long because of scenes like this: ten hulking United Nations trucks escorted by a couple of armored personnel carriers stalled, amid scrawny goats, begging children and heavily armed Bosnians, on a 10-foot-wide mountain trail that has a 45-degree gradient. The road, awash in mud and dotted with suspension-busting potholes, was employed only for the occasional ox-drawn cart in the days before war tore up the maps of Bosnia.

A Fatal Turn

Patience is, however, very strongly recommended, even when traffic simply stops. Wrong turns often lead to ambushes by bandits after money, or straight into mine fields.

One such wrong turn led two American journalists — one from the popu-

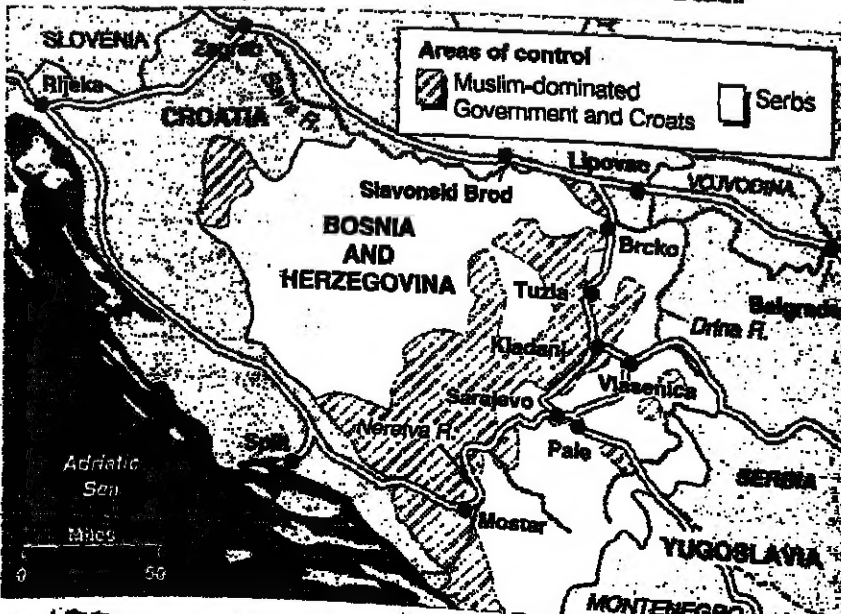
lar culture magazine Spin and the other from a Seattle weekly, Magnolia News — to their deaths this month on the road between Sarajevo and Mostar (this road gets tricky because two bridges have been blown up and traffic has to find its way onto a makeshift ferry operated by the United Nations on the Neretva River).

To get into Sarajevo itself involves taking a winding trail over Mount Igman, the scene, in happier days, of the Olympic ski jump. The ski jump is still there, but is now flanked by United Nations and Bosnian soldiers.

Sarajevo is still there, too, at least some vestigial bits of it; but the city is full of signs that only point to Europe's new curtains of iron.

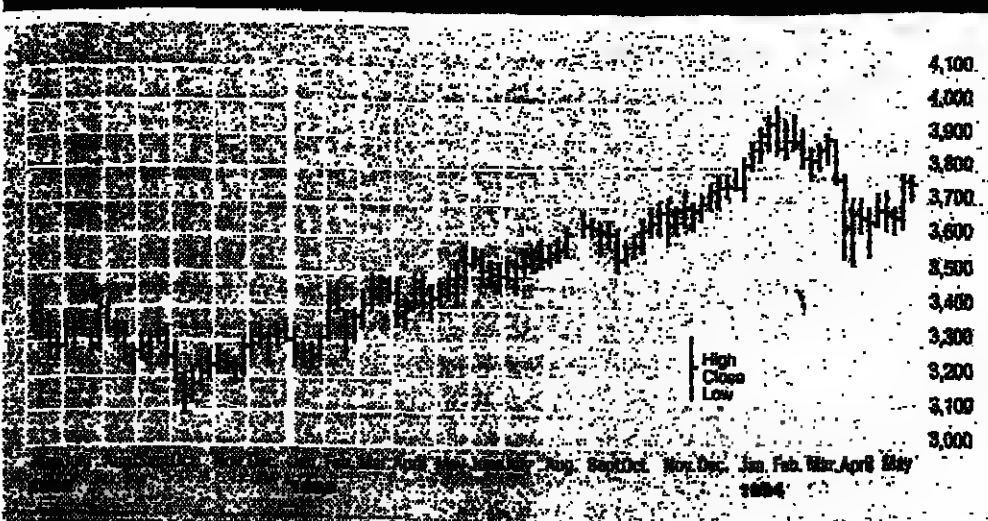
One indicates the road to Grbavica, a Serbian-held part of town that cannot be visited from the Muslim side. Another points to Pale — previously 45 minutes away by car, now accessible most quickly through a United Nations flight to Zagreb, followed by flights to Vienna and Budapest, and then a long drive south through Belgrade (where the airport has been closed by United Nations sanctions) and on to Pale.

There is at least one honest sign in the former Yugoslavia. It stands on the outskirts of the front-line Muslim-held town of Kladanj, south of Tuzla. It points east, across the lines, to the Serbian-held town of Vlasenica, about 20 miles away. Somebody has scratched out "Vlasenica" and scrawled one word: "Death."



The Stock Markets Last Week

DOW JONES INDUSTRIAL AVERAGE



MARKET DIARY

	NYSE	NASDAQ	AMEX
Advanced	1,409	2,231	412
Declined	1,161	2,082	416
Unchanged	396	943	161
Issues Traded	2,966	5,256	989
New Highs	106	145	30
New Lows	159	191	53

MARKET INDEXES

	Close	Chg	%Chg	YTD %
D. J. Indust	3,757.14	+ 9.21	+ 0.24	+ 0.08
D. J. Transp	1,622.83	+21.85	+ 1.36	+ 7.92
D. J. Util	186.73	+ 2.84	+ 1.54	+18.57
S&P 500	457.33	+ 2.41	+ 0.53	+ 1.96
S&P Indust	533.31	+ 2.73	+ 0.51	+ 1.27
NYSE Comp	252.79	+ 1.21	+ 0.48	+ 2.43
Nasdaq	733.14	+ 6.44	+ 0.89	+ 5.62
Amex	440.94	+ 2.74	+ 0.63	+ 7.59
Russell 2000	249.46	+ 1.18	+ 0.48	+ 3.53
Wilshire 5000	4,532.49	+25.61	+ 0.57	+ 2.69
Value Line	283.73	+ 1.20	+ 0.42	+ 3.91

INTEREST RATES

	30-Year Bonds	Municipal Bonds	Three-Month Treasury Bills
Yield	8.0	7.5	6.0
Chg	+0.5	+0.5	+0.5
Yr. Ago	7.3	6.8	5.5

New York Stock Exchange

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
	Vol. (00)	Last	Chg.		Last	Chg.	Pct.		Last	Chg.	Pct.
PhilM	241689	50	+ 394	GrbPd s	509 1/2	+ 16	46.2	Gtech	23 1/2	- 12	34.2
GrbPd s	175261	50 1/2	+ 16	AcmeI	9 1/2	+ 2 1/2	30.4	RamHO s	18 1/2	- 8 1/2	30.9
TelMex	170260	62	+ 1 1/4	Cobrain	6 1/2	+ 1 1/2	27.5	RMTI s	11 1/2	- 3	20.7
Merril	169793	30 1/2	+ 1/4	AmMed	24 1/2	+ 5	26.1	CompUSA	13	- 2 1/2	16.8
FLR	133574	6	+ 1/2	Zamex	10 1/2	+ 2 1/2	25.4	GrdCas s f	16 1/2	- 3	15.1
IBM	122413	63 1/2	+ 1 1/2	LomFin	6 1/2	+ 1 1/2	22.5	EvgrHth s	10 1/2	- 1 1/2	14.4
WalMt s	121660	23 1/2	+ 1/2	PrHsp	7 1/4	+ 1 1/4	20.8	MAWat	5 1/4	- 7 1/2	14.3
RoyD	121069	105 1/2	+ 2	Wachkt w	11 1/4	+ 2	20.5	KCSou pf	17 1/2	- 2 1/2	12.5
Gsch	101250	23 1/2	+ 12	Alvrt	6	+ 1	20.0	FMCGd	5 1/2	- 3 1/2	12.2
GenEl s	99037	49	+ 1 1/2	CompAsc	42 1/4	+ 7	19.9	KaufBH	16 1/2	- 2 1/2	12.1
Clp	93887	39 1/2	+ 1 1/2	MACOM	7 1/4	+ 1 1/4	19.2	MoBio	12 1/2	- 1 1/2	12.1
Motora s	91041	47	+ 3 1/2	KeyCon	14	+ 2 1/2	19.2	CentConst n	10 1/2	- 1 1/2	11.5
Chrysl	87354	49 1/4	+ 3 1/2	Rhodes n	15 1/2	+ 2 1/2	17.6	Muscl	17 1/2	- 2 1/2	11.3
CompAsc	86235	42 1/4	+ 7	Tndyct s	12 1/2	+ 1 1/2	17.1	GrupMex B n	11	- 2	11.1
Abblab	80897	30 1/2	+ 1 1/2	MedCrA	27 1/2	+ 4	17.0	RepGyp	11	- 1 1/2	11.1

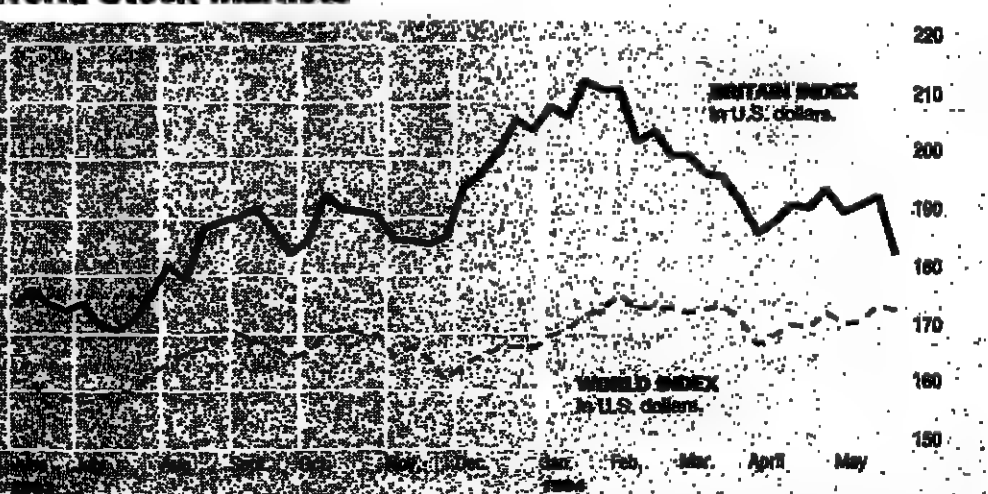
Nasdaq

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
	Vol. (00)	Last	Chg.		Last	Chg.	Pct.		Last	Chg.	Pct.
Micro	223,479	52 1/2	+ 3 1/2	Cytogr	6 1/2	+ 2 1/4	58.1	Chinatek	3 1/2	- 4 1/2	57.7
TelCh	186,188	21	+ 1 1/2	HICUT	7	+ 2	40.0	Matrix	7 1/2	- 2 1/2	26.3
Clas	175,602	25 1/2	+ 1 1/2	TRW	11 1/2	+ 1 1/2	37.9	CelebEnt wta	7 1/2	- 2	26.8
Novell	157,670	17 1/2	+ 1 1/2	FFBun	34	+ 9	36.0	LibINB	4	- 1 1/2	23.8
3Com	138,821	48 1/2	+ 4 1/2	MCT Inc	5 1/4	+ 1 1/2	35.3	ARI Net	4 1/2	- 1 1/2	23.4
DellCpt	136,556	28 1/2	+ 3 1/2	Telecom	7 1/2	+ 1 1/2	33.3	Intrng	5 1/2	- 1 1/2	21.4
Intel	129,857	61 1/2	+ 1 1/2	NE Rty	7 1/2	+ 1 1/2	33.3	Blngn wt	13 1/2	- 3 1/2	20.6
NWdCom	122,341	11 1/2	+ 2 1/2	TrwHm	6	+ 1 1/2	33.3	SerFnQd	17 1/2	- 4 1/2	20.6
DSC	121,818	22 1/2	+ 2 1/2	SunHm	7 1/4	+ 1 1/4	32.1	LadLokGm	7 1/2	- 2	20.5
MCI	117,641	24 1/2	+ 1 1/2	NWdCom	11 1/2	+ 2 1/2	31.5	Imunmd	4 1/2	- 1 1/2	20.2

American Stock Exchange

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
Vol. (00)	Last	Chg.	Pct.	Last	Chg.	Pct.	Last	Chg.	Pct.		
ExpLA	254102	1 1/2	+ 3/8	Ludco f	5 1/2	+ 2 1/4	69.2	NanvAdvMat	6 1/2	- 1 1/2	15.6
Enr	43117	4	+ 3/8	Ducom	5 1/2	+ 1 1/2	30.3	LumEurCl	5 1/2	- 1	15.1
Cheyt	23322	19 1/4	+ 1 1/4	NAVAC	10 1/2	+ 1 1/2	19.1	GreyLn	8 1/2	- 1 1/2	13.9
Echob	21278	11 1/2	+ 1/4	GameS	6 1/4	+ 1	19.1	UnitelV	6	- 7/8	12.7
SPDR	20821	45 1/2	+ 1/2	ShwdGp	7 1/4	+ 7/8	13.7	TpScTch	4 1/2	- 1 1/2	12.2

World Stock Markets



Prepared by Goldman, Sachs & Co. using data derived from the FT Actuarial World Indices, a measure of stock market performance. The FT indices are compiled jointly by The Financial Times Limited, Goldman, Sachs & Co. and NatWest Securities Ltd. in conjunction with the Institute of Actuaries and the Faculty of Actuaries.

PERFORMANCE		IN U.S. DOLLARS					IN LOCAL CURRENCY				
Country	Index	Week % Chg.	Week Rank	YTD % Chg.	YTD Rank	Dividend Yield	Index	YTD % Chg.	Exchange Rate to \$	YTD % Chg.	
Australia	175.06	0.3	6	5.3	8	3.44	159.43	-2.5	1.3643	8.0	
Austria	176.13	-2.2	16	-4.8	20	1.08	150.77	-8.5	11.5925	5.2	
Belgium	171.82	-2.7	17	5.6	6	3.84	143.43	-1.1	33.8495	5.8	
Britain	183.24	-5.2	23	-10.6	21	4.15	180.08	-12.4	0.6629	2.0	
Canada	190.88	-0.4	8	-3.6	18	2.57	131.42	0.9	1.3867	-4.5	
Denmark	251.75	-1.9	14	1.8	10	1.34	220.51	-3.5	6.44	5.5	
Finland	148.38	-4.2	21	21.3	3	0.66	169.12	12.9	5.3943	7.4	
France	168.93	-4.1	20	-3.4	17	3.01	149.78	-8.1	5.618	5.1	
Germany	136.65	-4.5	22	-1.1	14	1.74	118.53	-6.4	1.6444	5.6	
Hong Kong	387.59	-1.8	13	-20.8	24	2.77	384.46	-20.8	7.726	0.0	
Ireland	183.29	-3.4	19	-1.0	13	3.48	174.46	-5.8	0.6755	5.1	
Italy	87.00	-6.6	24	26.8	1	1.53	103.37	17.9	1.5908	7.6	
Japan	160.64	1.3	2	23.4	2	0.76	108.01	15.5	104.4	6.9	
Malaysia	473.10	-1.1	11	-20.0	23	1.42	471.69	-23.1	2.5888	4.1	
Mexico	2115.81	2.8	1	-11.4	22	1.02	7657.08	-5.6	3.31	-6.2	
Netherlands	198.08	-2.9	18	-0.5	11	3.38	167.09	-5.3	1.8482	5.1	
New Zealand	70.07	1.1	3	3.2	9	3.78	63.29	-1.8	1.701	5.1	
Norway	189.92	-1.4	12	11.2	5	1.71	193.20	5.4	7.1235	5.8	
Singapore	351.71	-0.3	7	-4.3	19	1.52	248.78	-8.7	1.5348	4.8	
South Africa	261.28	0.8	4	-2.2	16	2.28	272.69	8.9	4.775	-10.2	
Spain	146.94	-2.0	15	-5.5	7	3.95	150.87	-0.0	1.3525	5.5	
Sweden	227.57	-0.9	10	15.9	4	1.54	259.98	7.3	7.7169	8.0	
Switzerland	158.71	-0.6	9	-0.9	12	1.76	138.13	-6.3	1.4038	5.8	
United States	186.54	0.6	5	-1.8	15	2.87	186.54	-1.8			

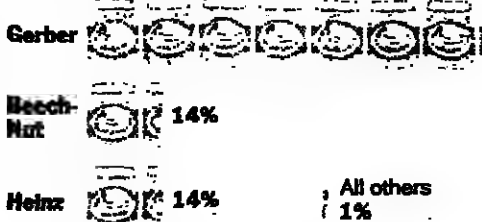
Source: Goldman, Sachs & Co. Exchange rates as of Friday's London close.

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The Economy

For Gerber, a Way to Grow

Share of the \$1.1 billion United States baby food market in 1993



Source: Donaldson Lufkin & Jenrette

Gerber had a problem. It dominated this country's baby food market, but with a declining birth rate there were fewer little mouths — and no way for the company to grow. But Sandoz wanted the chance to branch out from pharmaceuticals — not to mention that Swiss companies have been rushing to make acquisitions before Jan. 1, when a change in accounting methods makes acquisitions less desirable. So last week the two found each other, as Sandoz bid \$3.7 billion for Gerber — a high price, suggesting that Nestlé was also interested. (Of course it was just coincidence that Gerber stock options were very active the Friday before the deal was announced.)

Tiananmen Square: It's History

Did President Clinton really have any choice when he renewed China's favorable trading status last week? Probably not; our trade with China has become so vast that a mere politician would be hard pressed to slow it down. Look at the numbers: \$31 billion of Chinese goods come to the United States yearly; \$9 billion worth take the return route. Some people wished the President had stuck to a hard line on human rights, but Mr. Clinton — sounding eerily like George Bush — insisted that even though China had not made the progress he'd sought, more could be accomplished by not isolating this giant nation. The message seems to be this: the statute of limitations is up on Tiananmen Square.



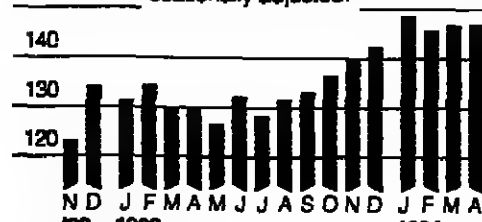
Tiananmen Square, June 1989

Playing the Antitrust Card

Washington can rattle its sabers at foreign companies whose practices hurt our exports, but it may do no good. Last week it tried a new tactic, filing an antitrust suit against the British glass maker Pilkington, saying it hoarded glass-making technology; Pilkington quickly settled. America's jurisdiction? Simple. Pilkington has big holdings here. This approach could leave a lot of global companies open, for it's nearly impossible to do business here without putting down some roots.

The Tortoise Economy

\$160 billion Manufacturers' total new orders for durable goods, seasonally adjusted.



Source: Commerce Department

Slow and steady, slow and steady — that's what the numbers keep showing. Fitting right into this last week was a report that April durable-goods orders rose just 0.1 percent, still trending water after surging in late 1993. The trend could also be seen in final G.D.P. figures showing a 3 percent first-quarter growth rate (revised upward from 2.6), after that strong 7 percent pace at the end of last year. Home sales did rise strongly in April, but an awful lot of people surely sensed that the glory days of low mortgage rates may be over.

For Denny's, Bias Is Costly

Despite all the progress, no one would pretend that racial bias has been wiped out. But the indignities that remain, both large and small, are often hard to pin down — and even harder to punish. But according to the Justice Department, Denny's, the restaurant chain, was so blatant and consistent in its bias that a solid case could be built. Perhaps the decisive straw came when six black Secret Service agents assigned to President Clinton were refused a table. And this wasn't random bias, said one lawyer in the case, but "an attitude that went into the management level." Last week Denny's agreed to pay \$54 million to settle lawsuits by thousands of black customers.

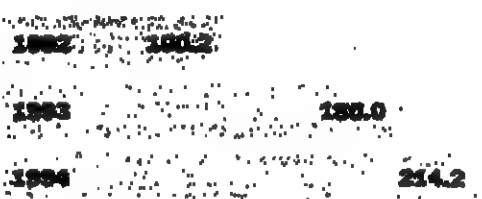
They Know When You Slurp

A fast-food restaurant would seem an ideal spot to impart state secrets or steamy gossip. It's anonymous, generic, so much a part of the landscape that it's practically invisible. Think again. Last week it turned out that Dunkin' Donuts — along with who knows how many other businesses — hides microphones in its stores to monitor cashiers and clerks. But of course that means everyone's on tape, customer and employee alike.

214 Miles for an Electric Car

Electric cars will never make it. Everyone knows that. They just can't go far enough between meals. Then again, look at those cars guzzling unthinkable amounts of gas, and belching out unthinkable clouds of gunk, at the Indianapolis 500 today. They're lucky to go 100 miles between pit stops. Electric cars, by comparison, are becoming virtual long-distance runners. Last week at the American Tour de Sol, a race for electric and solar-powered cars, a Geo Metro converted by Solterra cruised 214.2 miles without stopping — no doubt a world record.

Most miles traveled between battery charges by an electric car at each year's American Tour de Sol



Source: Groh Associates

Data for All (Except the Poor)

Under your feet, over your head and in the wilds of cyberspace, the information highway is relentlessly taking shape. But now some concerned citizens are saying, Wait a second! You've forgotten something. As phone companies plan their fancy networks linking video, voice and computer, they're guilty of "electronic redlining," bypassing poor areas and focusing on better-heeled tekkies — that's the message of a study released last week by consumer and civil rights groups. While the industry insists that it's laying paths where the users are — that it had to start somewhere — critics say there have to be rules. Data highway, meet political reality.

Now, States Take On Tobacco



R. J. Reynolds Tobacco Company

"The free ride is over," said Mississippi's Attorney General as he announced a suit against 13 tobacco companies to recover the state's costs of treating smoking-related illnesses — and to stop Joe Camel-type ads. "It's time these billion-dollar tobacco companies start paying what they rightfully owe." Of course, no one's ever gotten a penny from suing the tobacco industry — it's always argued that smoking is a matter of choice — but this is the first time a state, not an individual, has tried. And the state's assertion that tobacco companies long knew of smoking's hazards has more weight now, after the disclosure of documents backing that up. And no sooner had Mississippi acted than Florida went a step further, enacting a law specifically to allow suits on behalf of Medicaid patients who smoke.

Calming Words on Derivatives



Alan Greenspan

Most people still don't understand what derivatives are, but there's a gnawing sense that these speculative gadgets — contracts "derived" from things like stocks or currencies — constitute some sort of "black hole" that could inhale the financial universe. Well, last week scientists said there really are black holes, but on the financial front the sky-is-falling crowd got a setback. After a congressional study calling for far more scrutiny of derivatives, Alan Greenspan, the Fed chairman, came on stage and said, in effect, Don't worry. There's "negligible" risk, he said, that this fast-growing market could create a monster that could rattle the Republic.

World Markets/Richard W. Stevenson

U.S. Glitch in the British Air Dynamo

TO its competitors, British Airways must seem to be operating in a different industry. Despite the huge losses being suffered by nearly every other airline in the world, the British carrier has posted healthy profits in all but a few quarters throughout the severe downturn that has been plaguing the travel business for years.

Last week, British Airways turned in another set of impressive results. For the year ended March 31, it earned £286 million, or \$429 million at current exchange rates, an increase of 60.7 percent over the previous year, when it earned £178 million. It even managed to eke out an operating profit of £1 million, or \$1.5 million, in this year's January-March quarter, traditionally its weakest.

But if British Airways' operating performance has defied gravity, its performance in the stock market this year most definitely has not.

The shares have tumbled by more than 20 percent from their high of 496.5 pence, or about \$7.50, in January. Despite a small boost from the earnings report, which was released on Monday, they closed on Friday on the London Stock Exchange at 371 pence, down 11.5 pence.

In the United States, the company's American depositary receipts have also fallen more than 20 percent since January. They closed on Friday at \$56.25, down \$1.75.

To some extent, the decline can be chalked up to the steep fall in the stock market generally. But the real problem for British Airways lies across the Atlantic, in the form of the USAir Group.

British Airways owns a 24.6 percent stake in USAir, and its investment in the Arlington, Va.-based carrier is the centerpiece of its strategy of becoming a truly global airline through acquisitions, partnerships and joint ventures. British Airways also has a 25 percent stake in Qantas, the Australian airline, as well as investments in TAT European Airlines, a French carrier, and Deutsche BA of Germany.

Sir Colin Marshall, British Airways' chairman, once hoped to build an even bigger stake in USAir, America's sixth-largest air-

line. But his plans were scaled back, first by regulatory objections from the United States, and then by USAir's deteriorating financial condition.

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The A.M.A. — Déjà Vu, Again

Until recently, it looked as if the American Medical Association would vigorously support national health reform and thereby end an inglorious 50-year record of steadfast opposition. In 1990, the A.M.A. embraced employer mandates (the requirement that employers pay for their workers' policies) as the swiftest route toward universal coverage; and last year it supported, with conditions, managed competition (President Clinton's system of providing private health insurance through huge purchasing cooperatives).

But now that the debate over reform is approaching a climax, the A.M.A. is changing its tune. It has backed away from employer mandates and last week proposed a bill, laughably named the Patient Protection Act, that could eviscerate the Clinton plan. Same old A.M.A.

Physicians, especially specialists, have been scared silly by the surge of managed care. These health plans are clamping down on costs by squeezing out inappropriate treatment that layers of unnecessary specialists are providing. The clampdown has proved so strong that several specialty groups are wondering if they would be better off practicing under government regulatory agencies — which, with the help of an open spigot of campaign contributions, could be co-opted — rather than going up against the likes of Aetna, Cigna and Kaiser Permanente. After all, surgeons and other specialty groups have a history of wringing favors out of Congress.

Flagging support for the President's bill has emboldened the A.M.A. The Patient Protection Act offers some useful provisions. For example, it would require health plans to disclose pertinent information to enrollees. But the bill also blatantly attempts to wall off physicians from competition. For example, the A.M.A. would prohibit health plans from firing doctors "without cause" — a pernicious provision that could stymie efforts to get

rid of mediocre physicians. After all, health plans ought to be in position to assure patients that their doctors are excellent — and not just innocent of serious misdeeds.

Under the A.M.A. bill, a health plan could deny payment for a service provided by one of its doctors only if the attending doctor was overruled by a physician in the same specialty. The provision is unwarranted because medical conditions often cut across disciplines; the bill would lead to the ludicrous situation where a neurosurgeon could not second-guess an orthopedic surgeon's treatment of lower-back pain.

Prohibitions faced through the bill could cripple a health plan's ability to guarantee the best care possible. Health plans need the flexibility to make judgments. That is the only way they can get at unnecessary or inappropriate procedures — whose risks outweigh potential benefits — that account for as much as one in every three health dollars that Americans spend. By insulating doctors from sensible supervision, the bill would lock in bad practice.

The A.M.A. is also calling on Congress to exempt doctors from antitrust rules so they could form cartels to bargain with health plans. If Congress grants the A.M.A.'s request, it will undermine reforms, like those of President Clinton, that attempt to harness competitive forces to drive down health costs.

The A.M.A. raises the fear that health plans would grab for profits by firing good doctors who provide expensive care. But the best way to stop such behavior is to require purchasing cooperatives to collect data on each plan's treatment practices, medical outcomes and consumer satisfaction and report the results to enrollees.

Once upon a time the A.M.A. seemed poised to push reform forward; now, sadly, it seems poised to return to form and become an obstacle for Congress to overcome.

Too Relaxed on High-Tech Exports

Nuclear arms makers in Iraq, Iran, India and Pakistan were just some of the recipients of U.S. high-tech exports in the past — exports that they could use to make bombs. Yet even as nuclear proliferation emerges as the principal threat to America's security, bills wending their way through the Senate and House would make it even easier for renegade states to obtain U.S. technology useful for building bombs.

The technology of concern has both civilian and military uses, like machine tools for grinding bomb parts to exacting specifications and devices known as krytrons, electronic triggers used to fire up photocopying machines that can also serve as nuclear detonators.

Some relaxation of export controls makes sense. For instance, U.S. exporters are entitled to a level playing field when it comes to getting expeditious licensing decisions. A 90-day deadline for decisions embodied in these bills would reduce the chance of foreign competitors sealing deals while U.S. companies wait for license approvals.

But the laissez-faire licensing envisaged in these bills goes too far to boost exports at the expense of preventing proliferation. Congress needs to redraft them.

Easy waivers of reasonable regulations, as provided in the proposed legislation, are unjustified. The Senate bill, for instance, authorizes the Secretary of Commerce, acting alone, to grant relief from export controls. That is a clear conflict since the Commerce Department's prime purpose is to promote U.S. exports. Other agencies charged with curbing proliferation, such as the Defense and State Departments, need to be involved in such decisions.

The bills rightly reflect the fact that U.S. export controls will not work when too many suppliers abroad refuse to abide by them, putting U.S. manufacturers at a competitive disadvantage. But multi-lateral controls have usually been established when the U.S. imposed tough standards of its own and persuaded other states to follow its lead. And that takes time.

The Children? Or the Cub?

It sounds like the opening of a movie, the background action while the credits are unrolling. A woman is running alone through the foothills of the Sierra Nevada. The sound track is silent but for the crunch of her feet on the dry grass and the rasp of her hard breathing. Suddenly, from out of nowhere, a mountain lion springs and pinions her to the ground. A brief struggle, and she is dead.

Only it isn't a movie. This scene is real, and was played out last month, when a woman named Barbara Schoener went out for a seven-mile run and became the first person killed by a mountain lion in California since 1909. A week later, hunters killed the lion; its 7-week-old cub, all floppy feet and sweet face and primal innocence, got a television spot. It also got \$21,000, most of it a pledge from a nonprofit organization of a nearby zoo, which said it would use the money to improve a habitat for the cub's use. Mrs. Schoener's two small children, for whom a trust fund was established (she was the family's main support), did not do even half as well.

Is this puppy-love, kitty-love, goldfish-and-turtles-and-parakeet-love run wild? Maybe. Look at a 7-week-old lion cub, after all, and one sees not the muscled predator it will become but the cutest thing on four paws. Like a baby it is innocent, and, unlike a human adult, it will stay innocent — even if it kills.

Or does this generosity have something to do with guilt? The suburbs, environmentalists say, have encroached on the mountain lions' territory — have, in effect, poached on their preserve. Animals, then, have less to fear from hunters than they do from the householder with the above-ground pool and the backyard barbecue.

Both sentiments may help explain why \$21,000 went to the cub, but not why a mere \$9,000 went to the children. Since the disparity was publicized, their fund has grown some — but it still does not match his. Wonderful and various as all the animals that walk this earth are, the human kind remains the most curious, the most mysterious.

U.S. Takes a Nuclear Power Step Backward

To the Editor:

Re "U.S. Backing Work on Czech Reactors by Westinghouse" (from page, May 22); on the Temelin nuclear power plant in the Czech Republic: Contrary to Westinghouse's claim that the Temelin design is an "excellent machine," this type of reactor (the VVER 1000) is no more reliable than other Soviet designs. The Soviets, in their race to keep up with the West in nuclear technology, cut numerous corners in design, most of which will not be addressed by the Westinghouse fixes.

As detailed in the technical memorandum provided to the Clinton Administration by the Austrian Government, submitted as an exhibit to my testimony before the House Banking Committee last February, these flaws include problems with the steam generator, the very small containment vessel and fire protection.

Vice President Al Gore has put forward two arguments for the United States to help complete Temelin: (1) jobs and (2) if we don't do it, France or Germany will. Nuclear energy is capital-intensive, not labor-intensive. If the goal is to create long-term jobs, many other technologies would do better. And the only example of other countries stepping in is the Mohovce reactor in Slovakia, a joint French and German project.

At Mohovce, authorities are requiring a full environmental impact assessment, public participation and the simultaneous phase-out of older nuclear reactors. The United States could at least require similar conditions at Temelin. Instead, the United States is setting an anti-environmental (and anti-safety) standard by not requiring any of these conditions, over Congressional objections.

Temelin will produce power not needed in the Czech Republic. The Czech power utility (a net exporter of power the last two years) has already signed contracts for exporting more than 15 percent of Temelin's capacity to Italy and Switzerland (both countries with nuclear moratoriums) and is negotiating contracts for more.

The World Bank has determined that as much as 30 percent of the Czech Republic's energy needs could be met with simple, inexpensive conservation and efficiency techniques. These solutions would provide more than twice Temelin's capacity at far less than the \$1.2 billion it will cost for the nuclear solution.

Why is the United States insisting on exporting obsolete nuclear technology, when it could advance our efficiency and conservation industries, in which United States utilities are the leaders? JAMES N. BARNES, Director, International Department

Friends of the Earth
Washington, May 23, 1994

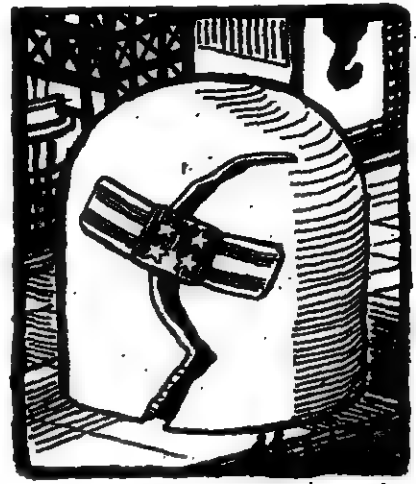
Assessing the Risks

To the Editor:

"U.S. Backing Work on Czech Reactors by Westinghouse" (May 22) reports a controversy concerning the Administration's approval of loan guarantees for safety improvements in completing the Temelin reactors. Commercial involvement and technical assistance from the United States can lead to significant reductions in the risk of severe accidents at these and similar plants if the often frustrating administrative aspects such as financial liability can be resolved.

There are now about 60 Soviet-designed nuclear power plants operating in the former Soviet Union and Eastern Europe: 26 reactors in Russia, 14 in Ukraine, 6 in Bulgaria, 4 in the Czech Republic, 4 in the Slovak Republic, 4 in Hungary and 2 in Lithuania. Because of the need for electricity and lack of alternative energy sources, it seems many of these will remain in operation a while.

Most of the models have considerable design and operational deficiencies compared to Western plants. Some power stations are considered less safe than ever because of local economic, political and organizational problems. Yet the Russians have



David Butler

announced plans for continuing their reliance on nuclear power. Ukraine has decided to continue operation of the remaining units at Chernobyl.

The VVER 1000 models at Temelin and elsewhere are closest to Western safety standards, have redundant emergency core cooling systems, a large containment and in general reflect consideration of a full spectrum of design basis accidents. The primary operating problems are caused by core power oscillations, poor instrumentation and control systems and steam generator difficulties.

A full-scale upgrade at Temelin to nearly Western safety levels should be practical. For example, the two smaller VVER's operating in Finland

are excellent plants, equal to Western plants in safety, having been appropriately modified at the design stage and routinely upgraded. A reasonable international objective would be to make reactors in the former Soviet Union comparable in safety with Western levels in the next decade or unnecessary. HAROLD R. DENTON, Rockville, Md., May 23, 1994

The writer is a retired former director of nuclear reactor regulation at the Nuclear Regulatory Commission.

Eximbank's Standards

To the Editor:

An important issue mentioned only briefly in your May 22 article on Czech reactors and Westinghouse is the United States Export-Import Bank's lack of adequate procedures for reviewing the environmental impacts of the projects it guarantees.

The Eximbank's environmental procedures are far weaker than those of other Federal agencies, such as the Agency for International Development and the Overseas Private Investment Corporation. In Congressional testimony Feb. 23, Kenneth Brody, Eximbank president and chairman, called procedures "obviously unsatisfactory," acknowledging they had to be "substantially strengthened." Eximbank's activities should be transparent and publicly accountable, and consistent with United States environmental foreign policy, including the Rio Climate and Biodiversity Conventions.

Despite the Clinton Administration statements of intentions, it is unlikely to make these improvements unilaterally. The Eximbank argues that stronger environmental procedures would put United States businesses at a competitive disadvantage against countries that lack such standards or have minimal ones.

The Group of Seven economic summit to be held in Naples next July provides an opportunity for the Clinton Administration to provide leadership and forge consensus on this issue among the countries with the most active export credit agencies.

The overarching mission of the Eximbank is to create jobs in the United States through promotion of exports. Improved environmental procedures could encourage the Eximbank to assist producers of advanced energy-efficient and environmentally sound technologies in reaching international markets. These smaller, rapidly growing, high-technology companies are of importance to our country's economic competitiveness in the future.

TODD GOLDMAN, SCOTT HAJOST, Washington, May 24, 1994

The writers are, respectively, policy analyst and international consultant for the Environmental Defense Fund.

Choose Integration Or Disintegration

To the Editor:

Racial integration is an ideal embraced by most Americans. Like other ideals, it is honored in the abstract more than in daily living. African-Americans continue to embrace the ideal, despite some bitterness over the dream's being deferred.

As a black woman, I did my doctoral dissertation on the residential choices of black families and the quality of their lives. My research and recent studies in several disciplines that I have read convince me that people of color continue to associate quality living with neighborhoods, schools and civic involvement that attracts people of all races.

By posing questions that present African-Americans with a forced choice between racial pride and the quality of life in a unitary society, it is not difficult to elicit a rejection of integration. Such a choice appears only to divide African-Americans from one another. But using African-American disappointment and anger at resistance to integration to justify segregation is perverse.

To integrate or disintegrate, that is the clear choice for each of us of all races. GLORIA GETTYS, Philadelphia, May 23, 1994

Lest We Forget, They Were War's Victims

To the Editor:

On May 30 we will celebrate Memorial Day, and on June 6 we will commemorate the 50th anniversary of D-Day. Both occasions will honor as heroes all those killed in our wars.

Some of the dead were heroes, but all were victims, of political expediency and of vengeful and backward-looking diplomacy. Instead of perpetuating for young people the glory of

dying for our country, we should examine our failures, tracing the paths that led to catastrophe. On these holidays let us mourn our war dead as the victims they were. MARTIN HIRD, New York, May 18, 1994

Gene Trail to Cancer

To the Editor:

"Genes Tell Story of Why Some Get Cancer While Others Don't" (Science Times, May 17) is on track. Not only are there markers to indicate where a specific alteration in DNA is, but there are assays that may indicate the degree of DNA damage. There may also be chemopreventive agents to repair damaged DNA before the cell divides and thus prevent the mutations that may cause cancer.

Perhaps we will find more chemopreventive agents occurring naturally in foods than laboratories can ever produce. CARLYLE MILLER, M.D., President, Cancer Prevention Research Institute

New York, May 18, 1994

Tonys Are About Broadway and Are Likely to Stay That Way

To the Editor:

The call to "Widen the Tony's Scope" (editorial, May 22) by including Off Broadway sounds like a good idea, but I believe it is not feasible.

As a former first-night theater critic and former president of the Drama Desk, a critics' organization that makes no distinction between Broadway and Off Broadway for nomination inclusion of Off Broadway in the Tonys. But the Tony, named for Antonette Perry, is an industry award, like the Oscar and the Emmy. Tony voters are industry professionals, producers, set designers and others with a direct stake in the productions. The only exceptions are those on the press list of the League of American Theaters and Producers.

Industry professionals have every reason to believe that shows with Tony awards make more money in

New York and will do better when they tour, and they have every incentive to act on that belief.

Even with fewer than 40 Broadway productions opening in recent seasons, there are reports that some Tony nominators don't see all the shows. What would happen if they were expected to see the dozens of productions that open Off Broadway during the season?

When Pulitzer Prize plays like "Driving Miss Daisy" and "Three Tall Women" don't get Tony recognition,

the awards lose credibility in the eyes of those not fully informed. But as Bernard Jacobs, president of the Shubert Organization, Broadway's biggest theater owner, has said: "The Tonys are all about Broadway's desire to promote Broadway."

Alan Eisenberg, Equity's executive secretary, a member of the Tony administration committee, has said that the actors' union is concerned that if producers can win their awards Off Broadway, there will be no incentive to move shows to houses with more favorable union contracts.

A recent Port Authority survey found that commercial Off Broadway had an economic impact of some \$33 million in 1992. Inclusion of the not-for-profit theaters would swell that amount considerably. In addition, we are only beginning to recognize the enormous value the small theaters have in providing anchors for their neighborhoods. New Yorkers have only to look at Theater Row on 42d Street or at Symphony Space or the Joyce Theater to see what happens to areas with a vibrant theatrical life.

But that is separate from Tony recognition. The Tonys are about Broadway. It may not seem fair, but that's the way it is. LEIDA SNOW, New York, May 22, 1994

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Journal FRANK RICH Search And Replace

If ever there was a reason to become computer literate, it is to savor every byte of Sony's "Complete Multimedia Edition" of "The Haldeman Diaries," the late chief of staff's daily chronicle of the Nixon Administration. By loading a \$69.95 compact disk into the CD-ROM drive of the nearest PC, you can not only wallow in Watergate but relive in audio-video splendor such forgotten, golden White House moments as the Pam Agnew wedding, a gala East Room recital by Red Skelton and a dinner for Golda Meir to which the President invited "a few gentiles, like Connally."

"The Haldeman Diaries" have become notorious in the two weeks since their publication as a nearly 700-page book, especially those passages in which the President rails against "the total Jewish domination of the media" and a neurotic Henry Kissinger makes Dr. Strangelove seem tame. But except for Billy Graham — who protested that some of his best friends are Jewish in a statement denying an entry in which he refers to "Satanic Jews" — no one has seriously challenged Mr. Haldeman's accuracy: Stephen Ambrose — the nonpartisan Eisenhower and Nixon biographer and D-Day historian — soundly endorses "The Haldeman Diaries" in its introduction.

Yet the book, hefty as it may be, cannot tell the whole story. The CD-

Haldeman tells all on CD-ROM.

ROM version adds 700 photos, home movies, the White House appointments log and, most important, 1,000 more pages of diaries — all summoned onto the screen and cross-referenced by the click of a mouse. Zipping through the multimedia edition is an addictive, if headache-inducing, joy ride that simulates what it might be like to listen to the Watergate tapes, read "The Final Days" and, day after day, relive all at the same time. You can even hear a funeral rendition of "Hail to the Chief" while the program boots up, or watch the President cut a rug in the entry titled "Nixon Dancing."

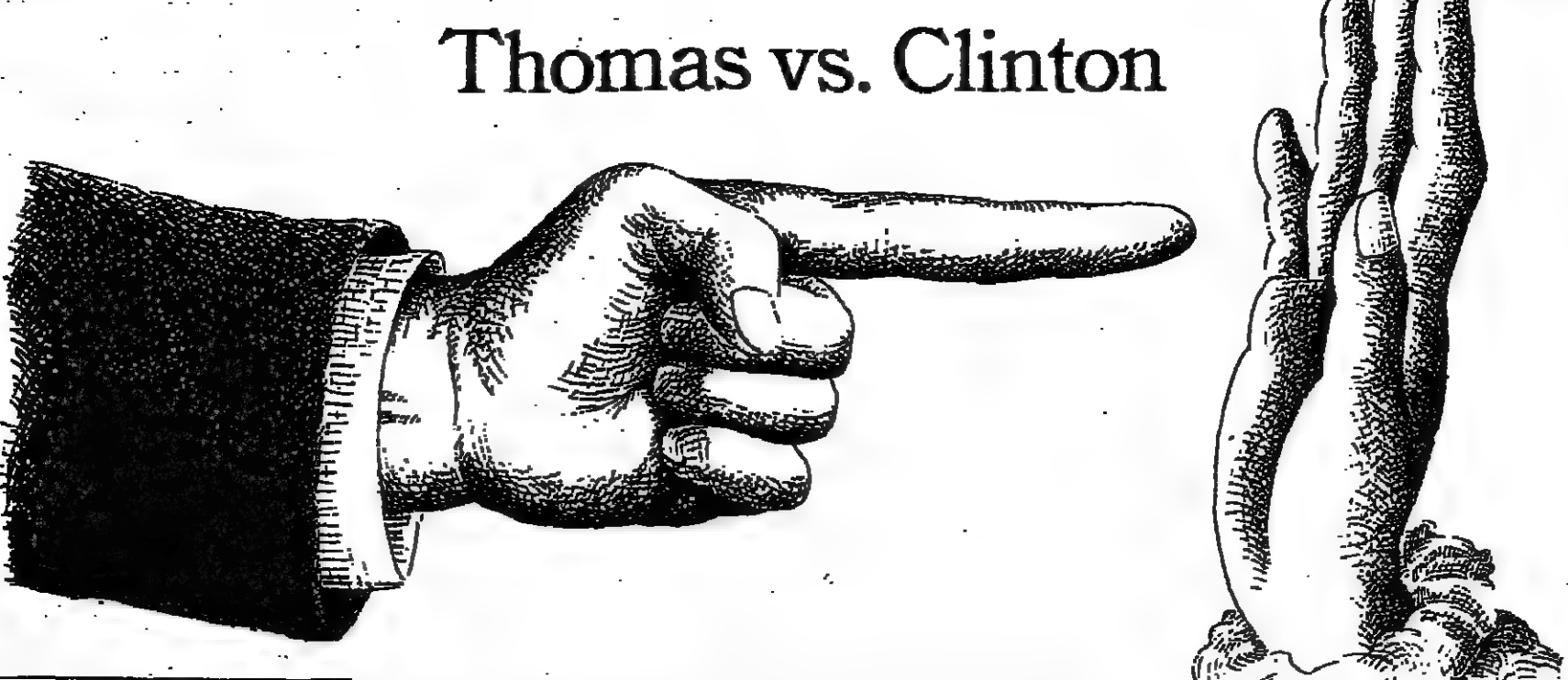
What often emerges from the encyclopedic data is a period farce — sort of a "Springtime for Nixon" — with an unlikely cast of cameo players, from Gina Lollobrigida to André Malraux. The President, desperate to invite Frank Sinatra to the White House, chooses Perry Como instead rather than get embroiled in a dispute between the Chairman of the Board and Mrs. Bob Hope. After a state dinner for Pierre Trudeau falls flat, Mr. Nixon is "particularly down on the entertainment" (Robert Goulet). Sam Goldwyn turns up in one film clip, while Elvis can be found in the appointments log and the Fifth Dimension in a photo. Other images suitable for printing out and framing include an inscribed Bebe Rebozo recipe for Grand Marnier soufflé, a loving portrait of "a White House burp bag" and a shot of Ethel Waters the day she reprimanded anti-Nixon demonstrators.

None of this material is in the published diaries. Nor is a 1972 entry in which Mr. Haldeman says the President told him that "Kissinger has worked hard, and I'm to call Rebozo and have him give Henry all of his phone numbers of girls that are not over 30."

But by using a computer program's search function — you can leap to every occurrence of the word "Jewish," for instance — the dark side of this White House charges out of hyperspace. Mr. Nixon's defenders have tried to rationalize his paranoia about Jewish cabals by arguing that he was letting off political, not anti-Semitic, steam at a time when there were in fact many Jews among his press adversaries. But in the unpurged diaries Mr. Nixon is cited as identifying "our enemies" as "youth, black, Jew" in 1970. And it's hard to find a political alibi in this 1971 CD-ROM exclusive:

"The President came back from Camp David for White House church. He called me... a little disturbed at discovering that we were having a rabbi again. He made the point that there are only 5 million Jews out of 200 million people, so one rabbi service in the first term would have been enough; we shouldn't have had a second one, and he certainly doesn't want any more this term."

By the time a hacker overdoes on the multimedia diaries, the only real mystery that remains is Mr. Haldeman himself, a fly on the wall so devoid of personality and emotion that he could be the butler who faithfully serves his disgraced lord in "The Remains of the Day." Alas, the voice-over narration in the multimedia "Haldeman Diaries" is not spoken by Anthony Hopkins but by the less mellifluous, if rehabilitated, Watergate criminal Dwight Chapin.



Thomas vs. Clinton

By Anita F. Hill

Over the past few weeks, a wide range of commentators have drawn parallels between the claims raised during the hearings on Judge Clarence Thomas's nomination to the Supreme Court and the recent charges of sexual harassment against President Clinton. Comparisons can be useful if they illuminate the obscure or help resolve a problem. But simply likening the events of 1991 and the events of 1994 ignores the complexities of sexual harassment. As the Supreme Court noted just last year, sexual harassment that creates a hostile environment defies "a mathematically precise test," and calls for examining "all the circumstances" of a case.

In fact, the differences in the Clinton and Thomas situations teach us more about sexual harassment than do the similarities.

Perhaps the most striking difference is that the Thomas hearing was held in a political arena, the Senate Judiciary Committee, while Paula Corbin Jones's complaint will be heard in a Federal District Court. Members of the Federal judiciary have the legal procedures and precedent to insure that the complaint, and Mr. Clinton's defense, will get a fair hearing. The court will allow time for discovery of evidence and the opportunity to hear experts on sexual harassment. So far, there is no sign that it will show disregard for her claim, or any predisposition about whether she is telling the truth. We are encour-

Anita F. Hill, professor of law at the University of Oklahoma, is writing about the hearing.

aged to expect an orderly proceeding, befitting the dignity of the tribunal and the parties involved.

The record of the Senate hearings is in striking contrast. No one on the court has threatened Ms. Jones with "real harassment." No one on the court has suggested that Ms. Jones will be destroyed in the process of the hearing. No one on the court has "looked into the eyes" of one principal witness and decided the veracity of the other. And, one hopes, no member of the judicial tribunal will take on the dual role of fact-finder and prosecutor.

Members of the Judiciary Committee engaged in this kind of prejudgment before and during the 1991 hearing, even regarding testimony that they had not yet heard. There was no time to gather evidence, and no expert testimony about sexual harassment, which would have been essential to the committee's and the public's understanding.

There are vast differences between what we knew in 1991 about sexual harassment and what we know today. Awareness of that gulf illuminates other important differences between these two high-profile cases.

In 1991 the issue and the surrounding circumstances caught society by surprise. The general public was unaware of sexual harassment as a legal question, and no one viewed it as a political issue — even though it was a reality in the workplace. The hearings touched deep feelings about power, race and sex — complex, volatile emotions that came together on television as a real-life story. For many, the impact was astonishing.

Among women, the reactions were quick, almost instinctive. Women had not often spoken publicly about sexual harassment until then, but by doing so during and after the hearing, they

educated society. By talking about their own painful experiences they showed how pervasive the problem is, while explaining why they have been reluctant to raise claims. Since 1991 women in record numbers have filed sexual harassment complaints. The Senate's perceived lack of fairness toward one woman's claim came to stand for society's lack of fairness toward all women's claims.

In the political reaction that followed the hearing, women and men rallied behind 11 female candidates for the Senate and helped elect four of them, including the first African-American woman. For many voters, including Republican and independent women

The cases of 1991 and 1994 are worlds apart.

who crossed party lines to vote for him, Bill Clinton's election represented a chance to have sex-related issues addressed more sympathetically.

Because the times and the circumstances are different, the Jones complaint raises different challenges, which are also marked by hesitancy on the part of some women to get involved in the case. Why are they reluctant?

First, many longtime leaders in the fight against sexual harassment are skeptical about the commitment of recent converts to the cause — especially those who have disparaged that cause until now.

Many women may feel some uneasiness that Mr. Clinton, who represented

a chance for more enlightened Federal policies on these issues, is himself charged with sexual harassment. Others may not see the issue in the stark, either/or terms in which it has been presented. In 1991, women simply asked that claims of sexual harassment be taken seriously, without the prejudicial stereotypes, unfounded assertions and political hyperbole that threatened to prevail. After nearly three years, that danger has diminished, thanks to the collective effort of women committed to eliminating sexual harassment. We should take the opportunity to advance it even further.

The law of sexual harassment is evolving, with the number of complaints finally falling closer into line with experience on the job. We are learning to talk about harassment in more informed terms. Few people assert that women invite harassment by the way they look or dress. We are also reacting more intelligently to claims of sexual harassment. We no longer assume, for example, that women claim harassment prompted by work-related or romantic disappointment. Yet we fail to confront many unresolved problems in our public discussion, legislative agendas and workplace relations.

For example, society must see sexual harassment for what it is: sex discrimination that is prohibited by the civil rights laws. It is not purely personal behavior, nor simply natural attraction gone awry. To discuss it in these terms trivializes the illegality and undermines efforts to eliminate it.

Second, according to recent testimony before the House Armed Services Committee harassment in the military continues, and complaints are still ignored — even after the Tailhook scandal and the subsequent early retirement of Adm. Frank B. Kelso 2d. Congress should establish complaint procedures in the military similar to those governing the civilian work force and make the leadership accountable when the procedures are not followed.

The 1991 Civil Rights Act was important in the fight against sexual harassment, but it failed to provide adequate damages for those who filed claims when the legislation was pending and it placed a cap on damages in sex discrimination cases. Congress should address the retroactivity question and remove the cap.

Finally, employers should continue to establish and enforce policies against harassment. This ought to include educational programs that send a clear message about management's seriousness and the consequences of violating the rules.

Every day I hear from people who need help in identifying whether their treatment on the job is illegal; who fear retaliation from individuals or institutions for which they work, and who are personally and professionally abused because they speak out. And I hear from men and women who wonder whether we can ever eliminate what appears to be an intractable social malady.

The solutions will require still more legal, personal, social and legislative effort. And once again we will have to look beyond short-term political struggles like those of 1991 and 1994 to achieve them.

In America BOB HERBERT Chasing the Truth

At first it was annoying, but it also seemed kind of funny. Jim Grossman of the Howard Rubenstein public relations firm, which has been hired to spruce up the image of the Harvard Club in its dispute with striking workers, was telling me that the club was not trying to get the workers to contribute to the cost of their health insurance.

I knew he was wrong, but it seemed like an easy thing to clear up. He insisted he was right and our conversation began to sound like one of those increasingly incoherent exchanges in a Martin Scorsese movie:

What? You're saying that the club doesn't want the workers to co-pay? You mean on the health insurance?

Yeah.

No.

No, you're not asking them to co-pay?

Right.

I don't think that's right.

What?

The matter seemed of limited significance.

At the time I didn't connect it to other troubling issues that were arising in the hardball effort by the club and Rubenstein to win the public relations battle against the union. There was, for example, the charge by the club's president, Donald Shapiro, that a columnist for The New York Post, Jack Newfield, had made up quotes attributed to Mr. Shapiro. Mr. Newfield adamantly denied that charge. The incident involved comments Mr. Shapiro supposedly made to workers on the picket line. At the time he didn't realize Mr. Newfield was a journalist. Striking workers backed up Mr. Newfield's account of the incident. John Turchiano, spokesman for Local 6, filed a sworn affidavit with the National Labor Relations Board in support of Mr. Newfield's account.

When I asked about this, Mr. Grossman said, "Why would you believe Newfield?" I mentioned that accusing a columnist of making up quotes was a charge that shouldn't be made lightly. I also suggested to Mr. Grossman that he check again with club

officials on the health insurance issue. He said he would get back to me.

Members of Local 6 of the Hotel, Restaurant & Club Employees Union have been on strike against the Harvard Club since Easter Sunday. The local represents waiters, busboys, bartenders, porters and other employees. From the beginning management made it easy to portray the strike as a stereotypical class dispute. Club officials demanded, for example, that the workers surrender the few extra dollars they were paid for doing so-called dirty jobs — unpleasant tasks like cleaning up after vomiting club members. That demand, a public relations disaster, has since been dropped.

As the unpleasantness gained more and more attention, the club hired the influential Rubenstein firm to counter the hits it was taking in the media. Mr. Grossman became the club's official spokesman. In that capacity he has to do tricky things, like trying to explain how \$18 an hour for a replacement worker is not more than twice the pay of a union worker who makes \$7.40 an hour.

It's understood that a public relations firm will attempt to present its client in the best possible light. But that effort can go too far. It is not supposed to include deception or deliberate deviations from the truth. The same holds for public information officials with government agencies. But lately that principle has been taking a beating and the truth is becoming more and more elusive.

Last week, when it was learned that a White House aide, David Watkins, had taken a Presidential helicopter on a golf outing, the initial explanation was that the trip was a training mission designed to improve security.

In New York last week the spokesman for the Police Department, John Miller, got caught in a complex web of untruths relating to conversations he had with journalists from Newsday and The Daily News. Mr. Miller apologized, saying he was not a liar but had not been as "precise" as he should have been.

Ultimately Jim Grossman admitted that he had been wrong about the Harvard Club's position regarding the workers' health insurance. His account had not been published; nevertheless he apologized, saying he had been given the wrong information by a club official. An honest mistake, perhaps. But when I asked for the name of the official, Mr. Grossman said he couldn't remember.



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TELEVISION

Jackie O., Who Lived a Mini-Series

By GWENDA BLAIR

It's the voice that dates Jacqueline Bouvier Kennedy Onassis. Not the face, not the body or the way she moves in the old television news film I watched for hours last weekend. Those are ageless. Her clothes (the sleeveless linen sheaths, Chanel suits and soft cashmere turtlenecks) seem timeless, too. Jackie's image is eternally modern.

But the voice is pure 50's and 60's. Demure, reserved, gracious. As I listen to her now, Jackie sounds like a younger, more innocent cousin of Marilyn Monroe. Soft, tentative, ready to laugh, a bit surprised to find herself being addressed. Like Marilyn, she is a child-woman, trying so hard to please, to get it right, to be a good girl. Which is what you did in those days if you were a woman who wanted to get ahead. Actually, if you wanted to get anything.

You charmed your way to the top spot — which, for a woman, meant being next to the top. You were fascinating, not competitive; gracious, not ambitious; poised, not strategic. You were graceful, sympathetic, a marvelous listener. All of which Jacqueline Kennedy did better than anyone else ever. And her reward was to be the First Lady.

But, of course, she was more than that. She was Jackie. And that was a function not of genes or breeding but of her arrival at the dawn of the age of mass media. Television was not new to Presidential politics. Dwight D. Eisenhower's ability to project his wide grin and war-hero aura into American homes won him landslide victories. As it happened, Ike's performance was only a warm-up for John Kennedy's virile good looks, entourage of Hollywood stars and talk-show-host ease in front of a camera. But what put J. F. K. over the top on television — and arguably won him the election — was his wife.

On even the smallest black-and-white screen, her natural reserve and shyness came across, as McLuhanesque coolness, intriguing and enigmatic. Her sense of personal style, her designer clothes, her patrician bearing made her a starlet. She gazed straight into the camera, didn't blink and looked smashing from any angle.

And her star quality let a huge, restless younger generation of baby boomers connect with the First Family — this incongruously glamorous couple living at 1600 Pennsylvania Avenue — in a brand-new way. Jacqueline Bouvier Kennedy became an icon named Jackie. Public approval

Gwenda Blair is the author of "Almost Golden: Jessica Savitch and the Selling of Television News."



Jacqueline Kennedy, left, conducting her televised 1962 tour of the redecorated White House. Above, Stephen Collins and Roma Downey in "A Woman Named Jackie" (1991) — Prime-time royalty.

turned into Jackie mania. Women dressed like her, cut their hair like her, named their daughters after her.

Fortunately for Jack and Jackie, they were in the opening hours of this new kind of fame. The electronic media were young, too, and did not know their own strength yet. Television cameras made the Kennedys into new-style celebrities, but television reporters continued to play by old-style rules. Today the price of such media attention and adulation is an automatic license to probe and discuss any action, no matter how trivial.

But in 1960, reporters never thought of covering Kennedy's philandering. No one looked all that hard at what Mrs. Kennedy spent on shoes or scolded her for not meeting with Congressional wives or demanded to know her views on abortion or thalidomide or the "woman question" or anything at all. Instead, they let her be a beautifully polished mirror in which people could see what they wanted: the First Lady of their dreams.

The beautiful mother of an adorable little girl, pregnant with her second child during her husband's Presidential campaign, she had a lock on one of the nation's favorite roles: young mother. And she apparently found all the fulfillment she needed in serving her husband and children.

"I think the job of the First Lady is to take care of the President," she once said in a campaign interview. "The most important thing is taking

care of your children and your husband," she said on another occasion. Asked about the psychological requirements to be a successful political wife, she said such a woman has to "really love her husband, for then any sacrifice she might have to make is a joy."

Back then, if you didn't have something good to say, you remained silent. Although she was the first President's wife to have a press secretary, Mrs. Kennedy never made a public fuss, not about her husband's affairs, not about the permanent invasion of her privacy. Ever the smiling stoic, she is positively gracious as she tells an interviewer about abruptly canceling an outing to the circus with Caroline because of the swarming photographers. The scene she is describing sounds highly distressing, but she says only that it "was a little hard," accompanying even this mild rebuke with a self-effacing smile to reassure us that she isn't the least bit angry.

In November 1963, the first television President became the first television martyr, and the perfect young wife and mother took on an unwanted new role. Now the cameras caught black-veiled images of transcendent grief, of noble sorrow, of unsurpassed dignity. Once again, we could look into that beautifully polished mirror and see what we wanted: the First Widow, publicly enacting pain and sorrow for all of us, looking the way we wished we could look, seeming to embody the courage and composure and faith we desperately hoped to summon up.

Twelve days later, Jackie was out of the White House. She had exhumed her husband with an internationally televised state funeral and an eternal flame that still burns brightly before every camera that visits his grave. She even put the final media spin on her husband's Presidency, retrospectively christening the Kennedy years Camelot. However presumptuous the name, it stuck, giving a high polish to an image already burned into national consciousness.

Slowly Jackie put together a new life, trying out different variations of herself as the years went by. She continued to play by the old rules. She gave no more interviews. What we saw were only glimpses as she went in and out of limousines, luxurious surroundings, a second, controversial marriage and widowhood. She became a book editor and played an important role in landmark preservation.

And she became less identified with the man she was with. New Yorkers knew that her last years had been warmed by the presence of a companion, a jeweler and financier named Maurice Tempelsman, but much of America learned about him only when she died. She did not confess. She did not share. She did not talk. Ever.

But we kept an eye on her, often through television fiction. Jaclyn

Smith (on ABC, in 1981), Blair Brown (NBC, 1983) and Roma Downey (NBC, 1991) were among the actresses who portrayed her. Through them, we saw her privileged but troubled childhood in Southampton, her years at Miss Porter's, Vassar and the Sorbonne, her wedding, her early married life with the handsome young senator, and the eventual public tragedy — real life, but the stuff of mini-series. In periodic television documentaries, we reviewed the familiar old films and saw updated images of her children and her life in New York.

Of course, we cannot know what would have happened to this icon or to us if her first husband had lived. During the thousand days of his Administration, she skillfully straddled a generational fault line, providing a symbol of youth and change to baby boomers while being the devoted young wife and mother for their parents. No First Lady since Jackie has done anything similar. None has even tried.

The role of First Ladies, like that of millions of American women, had changed. This change was due in part to the publication, in the same year John F. Kennedy died, of a book called "The Feminine Mystique," by Betty Naomi Friedan. Openly furious, decidedly unglamorous and more than ready to run the show, Ms. Friedan — the Anti-Jackie — told the world in no uncertain terms that

women deserved more in life than being wives and mothers to men. By 1970, the sentiments that had brought Jacqueline Kennedy such favor at the beginning of the decade were becoming out of step.

At the time of her death, Jackie the woman had changed. But for Americans, and for baby boomers in particular, the image of the beautiful young wife and mother remains astonishingly powerful. Television film and photographs of that era are a cultural relic, a national treasure, a reminder of a time when our nation was younger and more hopeful.

For three days last weekend, in a ghostly echo of those three days in November 1963, we saw the handsome young storybook couple, our first television royalty, forever walking on the sands of Cape Cod, touting their children's hair, having their own hair ruffled by the wind. Aristotle Onassis, the wicked intruder in our national fairy tale, has been nearly erased. In network coverage of her funeral, which consisted of cameras focused on the facade of a Park Avenue church (and only the audio portion of what was going on inside), commentators barely mentioned her second husband's name.

In death, our princess has been returned to us. Now she will be buried next to our prince, and when the television cameras make their periodic respectful visits to the Kennedy grave, the eternal flame will be the powerfully telegraphic symbol for them both.

FILM

Summer is Still Endless



Pat O'Connell and Robert Weaver in "Bruce Brown's the Endless Summer II" — Pure, simple joy.

By LAUREN DAVID-PEDEN

When the filmmaker Bruce Brown released "The Endless Summer" 30 years ago, he thought of it as a very personal documentary that would appeal primarily to his surfing buddies. To his surprise, the 16-millimeter movie made for \$50,000, which followed two surfers around the world in search of the perfect wave, went on to earn more than \$30 million worldwide and is now considered the seminal surfer film.

On Friday, in what must rank as one of the slower-arriving sequels ever, comes "Bruce Brown's the Endless Summer II." Using the same travelogue format, the new movie also sets out to dispel the tawdry image the sport has earned on the beaches and in the flood of surfer movies turned out since the original.

After making "On Any Sunday," his acclaimed 1971 motorcycle documentary starring Steve McQueen, Mr. Brown left film making and moved to northern California to pur-

sue other interests. "When Bruce would come down to L.A. and see the surfers, he would kind of wince," says Steve Peznan, editor of The Surfer's Journal and a friend of Mr. Brown. "The kids were tattooed and rebellious and anarchistic."

Mr. Brown admits that he wants to return surfing to its glory days when the sport was more innocent. "In the 60's, surfing was portrayed as 'Beach Blanket Bingo,' and as surfers, we didn't think that was funny; it offended us," he says. "Today, some 18-year-old kid is talking in the surfer magazines about how the hotel room wasn't right or the beer wasn't cold. I mean, why aren't they saying, 'Aren't we lucky to be in Hawaii or Fiji!'"

Like the first movie, the sequel travels to far-flung locales like Australia, South Africa, Costa Rica, Indonesia, Fiji, Mexico, Hawaii and France. But the second "Summer" had a \$4 million budget, whopping by surfer-movie standards, and state-of-the-art underwater equipment that has captured some amazing action.

At the exotic Jeffries Bay in South Africa, for example, Mr. Brown captured the film's two stars, Robert Weaver and Pat O'Connell, in mile-long rides in perfectly formed tubes

of water that the average surfer might never see in a lifetime. And in one of the more breathtaking sequences, filmed in Fiji, the camera pans up from beneath the ocean's surface to catch the silhouette of a surfer gliding overhead on a large wave.

Like the protagonists in the original movie, Mr. Weaver and Mr. O'Connell brave 25-foot waves and get into various scrapes, like being attacked by lions in Africa and crocodiles in Australia.

The second movie is also like the first in its depiction of women. Aside from one 20-second shot of a woman actually surfing, they are only shown on the beach in thong bikinis or topless. "I'm sure I'll take some heat for it, but it wasn't intentional," Mr. Brown says, adding that he had intended to include more shots of women surfing but they didn't turn out very well. "Somebody said, 'God, it looks like you're just trying to put token women in there.'"

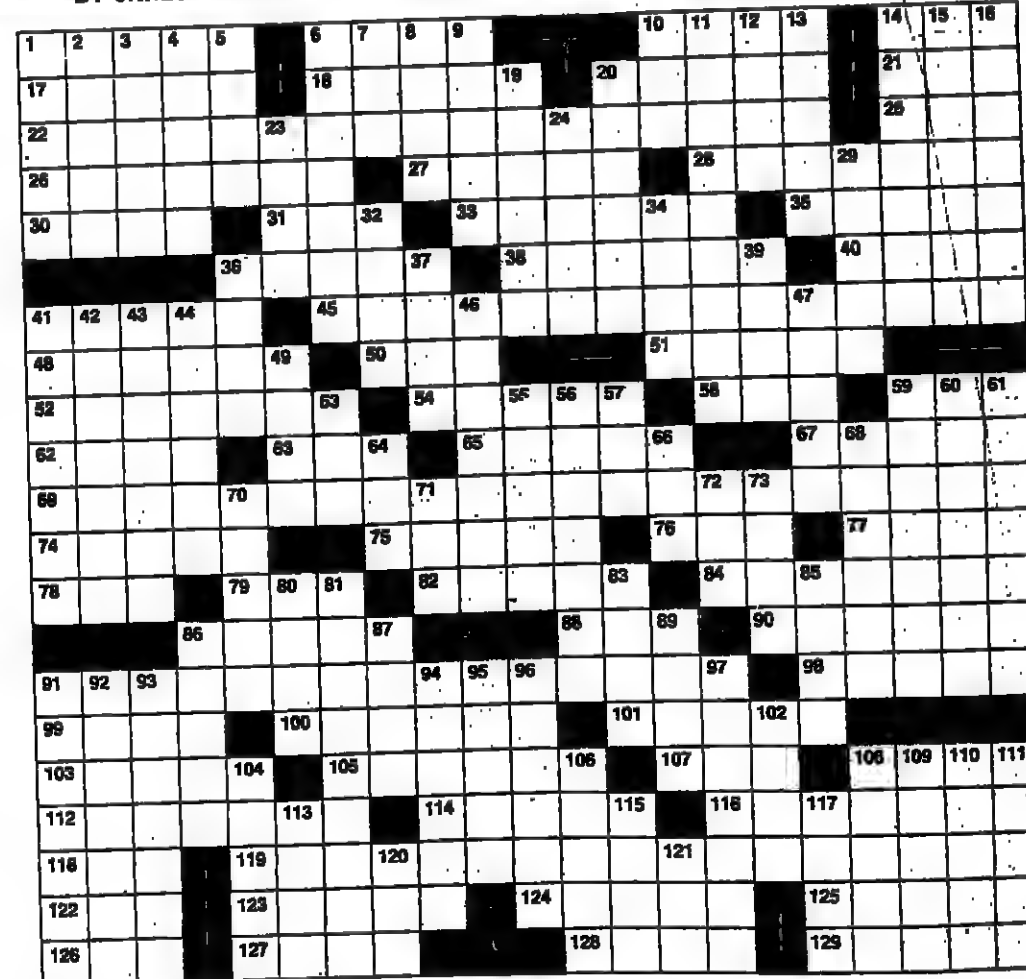
In "Endless Summer II," Mr. Brown avoids other issues the same way he did 30 years ago. "I think he had a message about what surfing really was: the pure, simple joy of riding a wave," Mr. Peznan says.

LOOK BOTH WAYS

BY JANET R. BENDER / EDITED BY WILL SHORTZ

ACROSS

- 1 Subject of the film "Sweet Dreams"
- 6 Nonpoisonous
- 10 Showed contempt
- 14 Move, in a way
- 17 Facilitated
- 18 Encumber
- 20 Colin Dexter's inspector
- 21 Grazing ground
- 22 Why Mr. Martin isn't popular on Memorial Day?
- 25 Fish with long jaws
- 26 Coach
- 27 Drift
- 28 "Maisy" star
- 30 Successfully persuade
- 31 Michaels and McGuire
- 33 Hoglike critters
- 35 Mountain home
- 36 Pro
- 38 Plantation homes
- 40 "Hogwash!"
- 41 Impolite goodbye
- 45 What the quality control chief did at the Japanese auto plant?
- 48 Allan Folsom's "After Tomorrow"
- 50 "The King" portrayer
- 51 Some cocktails
- 52 — scale
- 54 Arthur Murray lesson
- 56 Brit. honorary initials
- 59 Where "Hatikvah" is sung: Abbr.
- 62 Bonne — (clever thought)
- 63 Disparity
- 65 Impends
- 67 Vice President John Garner
- 69 Why Mr. Beatty's fragrant herbs get trampled?
- 74 Esurience
- 75 Vogue
- 76 Jihad
- 77 Dryer residue
- 78 Radiator sound
- 79 "— now!"
- 82 Romance scene
- 84 Pink
- 86 Take in
- 88 W.W. initials
- 90 Person in a circle, maybe
- 91 What the tipsy Oscar artist couldn't do?
- 98 Infers
- 99 Ethnic music
- 100 Agnew and others
- 101 City west of Manchester
- 103 Oven brand
- 105 Magnet alloy
- 107 Stowe's Little —
- 108 Shot



- 112 Shine
- 114 Uneven
- 116 Extra
- 118 "A Spy in the House of Love" author
- 119 Why the Burbank train derailed?
- 122 Nav. rank
- 123 "— you glad...?"
- 124 Go smoothly
- 125 Adm. Byrd book
- 126 Eastern holiday
- 127 Soft drink
- 128 Soft drinks
- 129 Arms supplies?
- 19 Summer hat
- 20 Fine yarn
- 23 Hindrance for Superman
- 24 Pitcher Steady Eddie
- 29 Subsidizes
- 32 Still active
- 34 Orson and Rogers
- 37 Latin I verb
- 37 Elementary particles
- 39 Proof of purchase, maybe
- 41 "Elevator music" music
- 42 Faultfinders
- 43 Abates
- 44 Stick
- 46 Filofax
- 47 Bout locale
- 49 Old-fashioned criminal
- 53 Actress Charlotte
- 55 A successor to Gompers
- 56 Shop tool
- 57 Biblical lion
- 58 Archeologist Jones
- 60 Like some candles
- 61 Sharecroppers
- 64 "Hey!"
- 66 Compass dir.
- 68 Actress Francis
- 70 Turkish city
- 71 N.Y.C. subway
- 72 Canal site
- 73 Mushroom
- 80 Hall-of-Famer Hubbard and others
- 81 Used a surgical saw
- 83 Shipbuilder's choice
- 85 King
- 86 Spenser's birds "of goodly hue"
- 87 Kind of eye
- 89 Exempt
- 91 Fishing device
- 92 Nautical rope
- 93 Facing
- 94 English poet Dowson
- 95 Nantes's river
- 96 Annual racing events
- 97 Aliocates
- 102 Pew locale
- 104 Africa's — Mountains
- 106 City known for its puppet theater
- 108 Comical
- 109 Wouldn't stop
- 110 Satellite launcher
- 111 Brawl
- 113 Architect Saarinen
- 115 "Holy moly!"
- 117 Genesis name
- 120 Three — match
- 121 Had

ANSWER TO PREVIOUS PUZZLE

ADRIAL LASTRADA HUSH
AREACODE ESPOUSED SINCE
JUSTICE OF THE PEACE ANTOR
ALLI PRIN DESI CREATE
RENO ETAGES NICHARDJH
NAIVE HANA ABI SEAN
HASTEROCECEMONIES
POTTS MAC CROSS FETAL
ANES DEARTH ART POLICE
ROD CONNOTED GEMFLOZZ
ENRANCE EXIT NUTS BOBO
ISNT ASREARDS TOTO
ARTS OATH DICE BAROMET
METEORITES NIMELIFE TET
SENTOR BUS TALEOF SETS
ANTOF SACHS ISO TWEAS
SPICA AARS SITH ANTIC
VORITANS SITH ANTIC
ENATES TAPS MIED TAO
LIVEN PHYSICALTHERAPIST
LEARY OILSTONE ENLAVES
SETS IMITATES ESTATIES

Lotto sellers can claim mixed jackpot

LAW REPORT

ASHER FELIX LANDAU

In the National Labor Court before the President Judge Menahem Goldberg, Judges Yitzhak Eliasoff and Adina Porat, employees' representative Nafali Ben-Moshe, and employers' representative Avraham Cohen, in the matter of Haim Fritz and others, appellants, versus Mifal Hapayis and others, respondents (Shin 11, Dalet Bet Ayin Nun Bet3-254).

THE appellants operated Mifal Hapayis lottery-ticket stalls. They alleged that the relationship between them and the lottery company was that of employer and employee.

The stall operators took action in Tel Aviv District Labor Court against the company seeking payment of various benefits, such as severance, sickness and vacation pay.

Their claim was dismissed and they appealed to the National Labor Court.

In delivering judgment, Judge Goldberg first pointed out that Mifal Hapayis, a company limited by guarantee, was empowered to conduct lotteries by a permit issued under section 231 of the Penal Law of 1977.

He then reviewed the relevant provisions of the three agreements between ticket vendors (including the appellants) and the company, and counsels' legal submissions.

He agreed with the District Court that since the present issue was a "borderline case," the matter was to be decided "mainly on a general assessment of the factual circumstances."

Judge Goldberg added, however, that the dominant element was the degree to which the employee was "integrated" into the general operations of the institution concerned, and was not an "outside factor" conducting, in effect, his or her own business. He then examined each of the relevant tests as applied to the case.

It was clear that the appellants played a vital role in promoting the company's objective: the collection of money. On the other hand, there were indications that they were conducting their own businesses to some extent.

It was true that they ran little risk of losing money, for the costs of operating stalls were minimal. Moreover, the company paid basic expenses, such as electricity.

The appellants also had the right to return unsold tickets before the lottery, and until then these were insured by the company.

Judge Goldberg also examined, in this context, the question of the ownership of the tickets until the lottery. He referred to the relevant provisions of the agreements, to several precedents and, inter alia, to the Standard Contracts Law of 1982.

He then held that, despite indications to the contrary in the agreements, the ownership of the tickets did not pass to the appellants, but remained with the company.

On the other hand, the question arose of the appellants' prospects of increasing their earnings by their own efforts, and the facts showed that they were able to do this.

They did not content themselves with sitting in their stalls. They attracted a circle of clients by keeping particular numbered tickets for certain customers and selling tickets on credit.

They also kept their stalls open beyond the minimum hours stipulated in the agreement to increase their sales and profits.

The president then concluded from a consideration of all the facts that the appellants did indeed conduct "independent busi-

nesses" - small, but still independent.

This conclusion was based particularly on the prospects of profits, bearing in mind that the tickets were not owned by the appellants, who ran almost no risk of loss.

Another test as to the relationship of employer and employee was the duty of the latter to perform his tasks personally. Although this requirement was not in itself sufficient to prove the relationship, it could not exist without that duty being imposed.

The agreements between the parties did not include the above requirement, but allowed vendors to be assisted by others with the company's consent.

The District Court had found that some of the appellants were assisted occasionally by family members - whose help could be marginal and have no influence on the legal relations involved - or by partners or others whose help was far from marginal.

Since it was to be assumed that such other help had been sanctioned by the company, the requirement of personal performance of the obligation was not present.

The court had already held, Judge Goldberg added, that a partnership could not as a rule be an "employee." The fact that the company had agreed in many cases to the running of stalls by partners showed that it did not regard them as "employees," which, indeed, they were not.

The appellants had also relied on their being subject to control and supervision by the company, and on their obligation to submit records and reports.

It was true that control and supervision were exercised, and that the appellants did furnish records and reports. These facts in themselves, however, were not sufficient to constitute the relationship of employer and employee.

The above features were common in many industries, particularly those relating to food and restaurants. The businesses of concessionaires were subject to close supervision to protect the name and goodwill of their suppliers.

An employee was generally required to perform his tasks within a fixed framework of days and hours. This feature was absent in the present case, the appellants being required only to operate their stalls for a minimum number of hours prescribed in the agreements.

The court had already held, Judge Goldberg continued, that the appellants' being regarded as "self-employed" for the purposes of income tax and National Insurance payments was of no relevance in testing the relationship of employer and employee.

However, payment of VAT on the appellants' earnings by the company showed that it regarded them as independent, for VAT was not payable on an employee's salary.

Finally, Judge Goldberg pointed out that the description of ticket vendors in the relevant agreements as "independent" was not conclusive. But it did impose upon the appellants the burden of proof that that description was incorrect, and in this they had failed.

FOR THE above reasons the appeal was dismissed, and the appellants were ordered to pay the respondents' costs in the sum of NIS 4,000 plus VAT.

Shmuel Tannenbaum appeared for the appellants, and Hanan Spillman and Gideon Holin appeared for the respondents.

The judgment was given on December 14, 1993.



Forensic artist Jeanne Boylan with samples of her composite sketches of criminal suspects: A victim's memory is least accurate just after a crime and best two to three days later. (AP)

Changing the face of crime

KARYN HUNT
SAN FRANCISCO

THE faces haunt her. Not the criminals Jean Boylan draws every day, but the faces of the victims who guide her sketches with their painful memories.

There are times when Boylan, one of the leading forensic artists in the US, would rather hang it up and try a job that's more, well, pleasant.

"If I'm going to continue to do this kind of work with this degree of intensity, I'm just going to have to find a way to withdraw," Boylan said one evening from her cabin in the Oregon woods. "It's just too much. I've got to balance it with something more positive."

But Boylan, 40, can't stop until she achieves her goal, which is nothing short of revolutionizing how law-enforcement officials create the likenesses on the "Wanted" posters that are a staple of criminal investigations.

According to Boylan, most of the drawings that line post-office walls, telephone poles and laundromat bulletin boards are flawed.

The problem with the way it is done now is that forensic artists with a minimum of training use a kit of photographs showing facial types.

In asking questions about the perpetrator's appearance - "How tall was she?" "Did he have a mustache?" - they unwittingly put visions in victims' heads and words in their mouths. That can contaminate the victim's memory and prompt inaccurate descriptions.

Also, in using the kit's stock features, they lose the subtle differences that make a person's appearance unique.

Boylan uses a more free-form interview technique characterized by open-ended questions. To re-

KARYN HUNT
SAN FRANCISCO

than they are. She found out that the memory is least accurate immediately after a crime and best two to three days later.

When she graduated in 1981, she signed on with Portland's police.

Boylan has drawn more than 7,000 composite sketches during her career.

When her drawings began to yield arrests in previously unsolved cases, Boylan's reputation grew. When Polly Klaas was abducted from her bedroom, the FBI asked for her because "we'd heard she was the best," said FBI Special Agent Rick Smith of the San Francisco office.

She didn't disappoint them, said James Nelson of the FBI's St. Louis office. "She has done probably the best work I've ever seen," he said. "I think her concept is a definite improvement." (AP)

It was while she was a civilian investigator in a county sheriff's department in 1977 that Boylan noticed something was wrong with the process used to make composites.

The drawings the department's artists were producing looked nothing like the people eventually arrested, and the victim's descriptions of their attackers changed radically over time.

She decided to find out why. She studied psychology, counseling and criminology at Oregon State University.

Her focus was post-traumatic stress syndrome, coping mechanisms for sexually traumatized victims, and how information is encoded in the memory.

She learned that the emotional trauma of being assaulted taints the memory. She discovered, for example, that victims tend to remember their attackers as larger

Humans must learn that Asian elephants need their space

EARTHLY CONCERNS

D'VORA BEN SHAUL

ASIAN elephants once roamed freely in their millions from Mesopotamia and Persia through China and even the peripheral islands of Asia like Sri Lanka (Ceylon), Sumatra, Java and Borneo. Today, the remaining 35,000 to 55,000 are under threat.

Unlike the African elephant (*Loxodonta africana*), which is being ruthlessly slaughtered for its ivory, very few Asian elephant males have tusks big enough to interest poachers.

What threatens *Elephas maximus* is lack of space. Asian elephants are gone from the Middle East and the peripheral islands, and only about 500 remain in China and some 60 in Nepal. India has about 25,000, and Burma between 6,000 and 10,000.

According to the Asian Elephant Specialist Group (AESG), Asian elephants occupy a total of about 436,000 sq. km., only 132,000 sq. km. of which is reserve area. If we assume a population of 45,000 animals, this works out to about 3 sq. km. per elephant. This would be scant room even if the animals were left in peace - which they are not.

ALTHOUGH ASIAN and African elephants originate from the same stock, it is believed that some of the first *Loxodonta* migrated into Asia several million years ago and there developed into a totally different species.

There are almost as many differences between the two species as there are similarities. One is the Asian elephant's lack of significant tusks. Another is that African elephants tend to be intractable, whereas Asian elephants aren't too difficult to train (some 10,000 of those that remain are domesticated, working animals).

One of the Asian elephants' main problems is that they seem to require a more varied diet than their African cousins, and raid farms and villages in order to get the sustenance they need. This causes already poverty-stricken farmers severe losses. In a single night, they may lose an entire year's grain crop and end up literally facing starvation.

These elephants also split full-grown banana trees searching for the pithy marrow and push over coconut palms to get at the young shoots. This makes them the farmer's enemy and eventually leads to

their decimation. To help protect the elephants, the Indian government has instituted trouble-free payment for crop damages.

Lack of space and nutrition is leading to a steady decline in the elephants' birth rates. In the lumber farms, most of the captive elephants kept for work are females, which are more amenable to training. But lumber farms have always discouraged breeding, since a heavily pregnant or nursing cow works less well than one which isn't encumbered by her young.

Now, as a result of government incentives, lumberers are beginning to breed the cows, and a program using artificial insemination is under way.

The AESG claims there is every reason to be optimistic. According to the group, it isn't the absolute number of animals that is important, but the viability of the population. It says that 25,000 Asian elephants, secure and protected in a reserve area, with a good breeding ratio, is preferable to half a million under perpetual threat of extinction, as long as a viable gene pool is maintained.



Today at the festival

JERUSALEM THEATRE □ Comedy/variety show - Henry Crown, 9 p.m.

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DORMITION ABBEY □ Jean Claude Mara, pan flute - 8:30 p.m.

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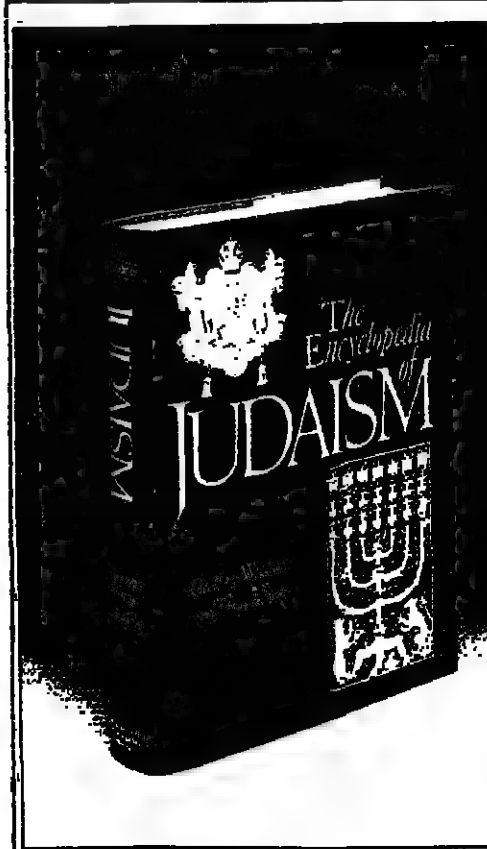


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BUSINESS & FINANCE

MONDAY, MAY 30, 1994

Histadrut selling assets to raise funds for Clalit

MICHAEL YUDELMAN

THE Histadrut will ask the government's approval to sell some of its financial assets, such as shares of Bank Hapoalim and Koor, in an attempt to raise NIS 180 million to save its ailing Kupat Holim Clalit.

This decision, made in yesterday's executive bureau meeting, was initiated by outgoing Secretary-General Haim Haberfeld, who is still in hospital recovering from a foot operation.

The bureau said the Histadrut would try to raise NIS 180m., providing that the Finance Ministry transfer the same amount to the health fund.

Acting Secretary-General Meir Gatt has already advised Knesset finance committee chairman Ge-

dalya Gal of the decision to secure the committee's approval, which is required.

However, Histadrut Treasurer Artur Yisraelovitz warned yesterday that the NIS 360m. would only suffice off the crisis for a couple of weeks, "sufficing merely to pay the wages of Kupat Holim workers and buy some medical supplies. It's like treating a cancer patient with Acamol."

Kupat Holim's deficit this year is NIS 1.6 billion, while the accumulated deficit totals more than NIS 3b.

Yisraelovitz said last year could have ended in financial balance had the government kept its commitments to Kupat Holim.



Haim Haberfeld: He initiated the decision.

Court petitioned over Treasury's criteria to set up second bourse

EVELYN GORDON

ETGAR Ltd. yesterday petitioned the High Court of Justice against the Treasury's alleged failure to publish criteria for the establishment of a second bourse, and against its rejection of Etgar's application to establish the bourse.

The Treasury promised the court it would publish such criteria in March 1993, the petition notes.

However, the ad finally published a year later does not include "criteria" in the sense of obligatory conditions, Etgar charged.

Furthermore, the petition said, the Treasury turned down Etgar's application without giving any reasons for the decision, after refusing even to clarify

what Etgar perceived as ambiguities in the ad.

The company said the ad's vagueness is meant to enable the Treasury to choose its candidate "arbitrarily," based solely on the preferences of the chairman of the Securities Authority, who is acting as the Treasury's adviser on the matter.

However, the chairman is also acting as adviser to a company headed by former finance minister Yitzhak Moda'i, which is competing in the bidding, Etgar charged.

Etgar said it had already filed a criminal complaint with the attorney-general over this conflict of interest.

Leumi posts 57% rise in net profits

NEIL COHEN

BANK Leumi yesterday reported a 57 percent increase in 1994 first quarter net profits to NIS 83.1 million from NIS 52.75m. in the same period last year.

The rise in profitability was due to an NIS 25.55m. after-tax extraordinary gain, a result of writing back a provision previously made against its holding in Union Bank.

In the first quarter last year, Leumi made an extraordinary loss of NIS 27m.

After tax profits from opera-

tions fell 25.2% to NIS 64.5m. from NIS 86.3m.

Profit from financing activities before provisions for doubtful debts fell 10.2% to NIS 520.1m. from NIS 579.3.

The bank attributed the fall to the erosion of financial margins. Provisions for doubtful debts rose 12.6% to NIS 129.6m. from NIS 114.9m.

Commissions and other operating income rose 9.7% to NIS 455.2m. from NIS 414.9m.

The bank attributed the rise to increased capital market activity.

Operating expenses rose 3.1% to NIS 680.8m. from NIS 660.1m. Earnings per share were NIS 0.041, excluding extraordinary items and NIS 0.059 including them, compared with NIS 0.056 and NIS 0.037 respectively last year.

Annualized return on equity went up to 7.2% from 4.8%.

Credit to the public totaled NIS 47.4 billion at the balance

sheet date; deposits held were NIS 62.5b.

The total balance sheet stood at NIS 89.3b. and shareholders equity was NIS 4.82b.

Leumi Mortgage Bank reported a 3.5% fall in first quarter net profits to NIS 5.3m. from NIS 5.5m. in the same period last year.

Financing profits were slightly ahead but higher provisions partially offset these. Higher expenses canceled out an increase in commission income.

La National's profits up 12.8%

Firm announces nursing insurance scheme with Meuhedet

RACHEL NEIMAN and JUDY SIEGEL

INSURER La National yesterday reported a 12.8 percent rise in first quarter net profits to NIS 21.1 million from NIS 18.7m. in the same quarter last year.

Earnings per share declined 22% to NIS 0.97 from NIS 1.25. Premiums on life insurance rose to NIS 100.4m. and on general insurance to NIS 12.7m. from NIS 91.5m. and NIS 7.7m. respectively in the same period last year.

Quarterly profits on life insurance went up slightly to NIS 34.5m. from NIS 34.2m.

The company experienced a loss on general insurance of NIS 0.5m., as compared with NIS 1.2m.

The company is part of a group of investors who are final candidates for the purchase of controlling interest in Bank Mizrahi.

Meanwhile, La National and Kupat Holim Meuhedet announced that all Meuhedet members will be enrolled in an obligatory supplementary nursing insurance scheme, providing financial help for patients needing geriatric nursing care for up to five years.

The new scheme is called Meuhedet Zahav.

Health fund director-general Uzi Salant said all members would be included in the plan, whatever their age and medical history, except for those already defined as needing long-term nursing care.

He said members would no longer have to purchase special nursing insurance policies if they become dependent on such care.

Members who don't want to be included must make a special request to opt out of the plan.

La Nationale will provide the coverage for a maximum of five years. During the first three years, the insured will receive NIS 2,750 monthly and NIS 1,650 per month during the fourth and fifth years.

In the event of death, the family will receive a one-time grant of NIS 1,500 to cover initial expenses. All the figures will be linked to the Cost-of-Living Index.

Meuhedet members up to the age of 34 will be exempt from payment; those aged 35 to 45 will pay NIS 5 a month; between 46 and 55 NIS 10; between 56 and 65 NIS 15; and over 66, NIS 20. Members who want a larger sum of coverage can pay twice that figure.

Delta Galil posts 75% fall in net profits

COMPANY RESULTS

RACHEL NEIMAN

DELTA Galil Industries has announced a 75 percent drop in first quarter net profits to NIS 1.75 million from NIS 7.1m. in the same period last year.

The company blamed the downturn on depressed export markets, increased competition and fluctuations in the exchange rate.

Per share earnings fell to NIS 0.12 from NIS 0.41.

The Dead Sea Works has experienced a 29.4% decline in first quarter net profits to NIS 25.4m. from NIS 36m.

Revenues were up 10% to NIS 449.6m. from NIS 407.2m. Gross profit margins fell to 23% from 28%.

Earnings per share dropped to NIS 0.10 from NIS 0.14.

Keter Publishing has announced a 62% increase in net profit to NIS 519,000 from NIS 319,000 reported in the same period last year.

CEO Oren Most said the company recently implemented several changes in its marketing and sales of encyclopedias and books.

The result was a decline in encyclopedias sales volume, but a rise in sales volume of textbooks.

Naphtali Israel Petroleum announced a NIS 1.2m. first quarter net loss, compared with a net profit of NIS 618,000 in the same period last year.

Revenues declined to NIS 1.3m. from NIS 1.8m.

Hapoalim Investments announced a 7% rise in first quarter net profits to NIS 4.3m. from NIS 4m. in the same period last year.

Revenues increased 7% to NIS 113m. from NIS 105.6m.

Memorah Insurance announced a 41% decrease in first quarter net profit to NIS 6.3m. from NIS 10.8m. in the same period last year.

The company blamed the fall in the TASE over the past quarter for the decline.

First quarter profits fell to NIS 6.4m. from general insurance and NIS 11.8m. on life insurance from NIS 4.4m. and NIS 15.9m. respectively.

Premiums on life insurance rose to NIS 117.5m. from NIS 101.5m. in the previous year.

Court criticizes Treasury over handling of new pension funds

EVELYN GORDON

THE High Court of Justice yesterday criticized the Treasury's handling of applications to establish new pension funds, but warned it could not overturn the Treasury's decision unless it decides that a law to temporarily prevent the establishment of new funds violates the Basic Law: Freedom of Occupation.

Justices Dov Levine, Zvi Tal and Tova Strasberg-Cohen were hearing a petition by Clalit and Migdal against the Treasury's refusal to allow them to set up pension funds. The petitioners are also demanding the right to invest in the special bonds the Histadrut pension funds invest in, which bear a 5.5 percent interest rate - well above rates on the capital market.

The government claims that allowing such high-powered companies to open pension funds which invest in the special bonds would cause an earthquake on the capital market, because existing provident funds and insurance plans - which

can't offer such a high rate of return - would lose too many of their customers to the new funds.

The Histadrut also charges that new funds would destroy its existing pension funds, which have a huge actuarial deficit and therefore need the advantage of the special bonds to compete.

Levine criticized the Treasury for wasting the companies' time by leading them to believe they would receive a license if they fulfilled certain requirements.

Levine also questioned the Treasury's offer to approve new funds, but not let them invest in the special bonds.

"Isn't this a form of prevention?" he asked.

The court is withholding its decision until it sees the recommendations on pension reform due to be submitted soon by the Fogel Committee.

The justices asked the Treasury to submit a copy of the recommendations next week.

Credit available to public increases 10.3% to NIS 49.1b.

JOSE ROSENFELD

THE amount of credit available to the public in April rose 10.3 percent since the end of last year to NIS 49.1 billion, the Bank of Israel reported yesterday.

The central bank justified in part its decision to hike interest rates by half a percentage point twice this month on the rising volume of transactions.

Interest rates on credit increased from 8.37% to 8.74%.

Interest on deposits rose to 8.63% from 8.46% in March.

The interest commercial banks charged on overdrafts rose to an annual rate of 17.49% from 17.36% in March.

Average interest on credit to the public rose to 15.37% from 15.29% in March. Fixed-term interest rates on credit increased from 13.74% to 14.11%.

The Bank of Israel also published the average rate banks

charge for unlinked credit, as required by the law, which limits the maximum interest non-banking institutions can charge.

Under the law, non-banking institutions, better known as the "grey market", are allowed to charge up to 2.5 times the average bank rate.

Based on March's average rate of 8.74%, the "grey market" can charge up to 21.85% interest on unlinked loans.

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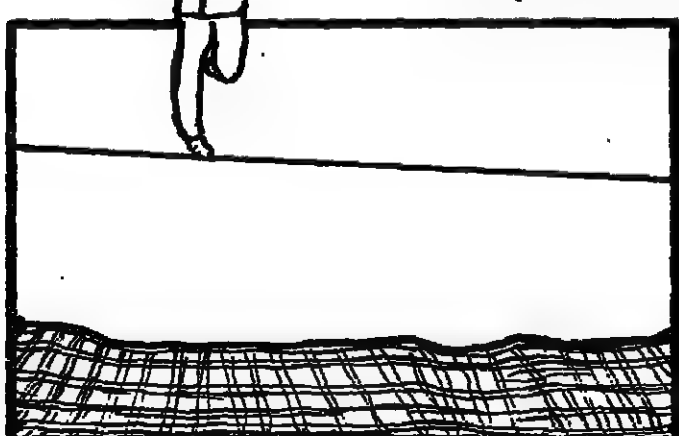
Based on March's average rate of 8.74%, the "grey market" can charge up to 21.85% interest on unlinked loans.

BUSINESS BRIEFS

Agis falls 10% on TASE: Agis fell 10 percent yesterday on the Tel Aviv Stock Exchange. The company, the country's second largest pharmaceutical concern, has decided to limit supplies to Kupat Holim Clalit. The firm is owed an outstanding debt of some NIS 57 million, plus an additional NIS 44m. to be paid in installments starting in September.

Nur Outdoor Signage to float public share today: Nur Outdoor Signage plans to float a public share option today valued at NIS 15.8m., representing a 25 percent share of the company. The firm posted an NIS 4.9m. net last year, with NIS 40m. in revenues. Nur is responsible for about half of all outdoor signs in the country.

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Currency (deposit term)	3 MONTHS	6 MONTHS	12 MONTHS
U.S. dollar (\$250,000)	3.500	3.750	4.250
Portuguese escudo (\$100,000)	4.400	4.125	4.250
German mark (DM 200,000)	3.125	3.125	3.125
Yen (10 million yen)	0.900	0.825	0.750

(Rates vary higher or lower than indicated according to deposit)

Shekel Foreign Exchange Rates* (27.6.94)

Currency basket	Buy	Sell	Banknotes	Buy	Sell	Rate
U.S. dollar	3.2783	3.2839	2.96	3.10	3.2042	
German mark	1.8279	1.8537	1.80	1.88	1.8403	
Portuguese escudo	4.8442	4.8688	4.48	4.67	4.6898	
French franc	0.8349	0.8424	0.82	0.85	0.8578	
Japanese yen (100)	2.8790	2.9196	2.83	2.86	2.9031	
Dutch florin	1.6286	1.6525	1.60	1.68	1.6408	
Swedish krona	2.1418	2.1720	2.11	2.20	2.1892	
Norwegian krona	0.3889	0.3951	0.38	0.40	0.3958	
Denmark krone	0.4216	0.4278	0.41	0.43	0.4247	
Finnish mark	0.4687	0.4755	0.46	0.48	0.4698	
Canadian dollar	0.5566	0.5635	0.55	0.57	0.5581	
Australian dollar	2.1735	2.2042	2.14	2.24	2.1851	
S. African rand	2.2074	2.2385	2.15	2.27	2.2178	
Belgian franc (10)	0.8220	0.8306	0.81	0.83	0.8285	
Austrian schilling (10)	2.5960	2.6327	2.55	2.67	2.6181	
Italian lire (1000)	1.8890	1.9158	1.85	1.95	1.8820	
Jordanian dinar	—	—	—	—	—	
Egyptian pound	—	—	—	—	—	
EU	3.5203	3.5700	—	—	—	
Irish punt	4.5198	4.5818	4.38	4.62	4.4954	
Spanish peseta (100)	2.2182	2.2505	2.18	2.31	2.2304	

* These rates vary according to bank. SOURCE: BANK LEUMI

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Unser Jr. wins Indy

INDIANAPOLIS (AP) — Emerson Fittipaldi, leading the entire field by one full lap, smacked the wall with 16 laps remaining yesterday, handing Al Unser Jr. his second victory in the Indianapolis 500.

Unser, who won the race in 1992, started from the pole and held the early lead. But trouble stalling the car in the pits early in the race allowed his Penske team-mate Fittipaldi to take the lead and build a huge advantage over the field.

The new Mercedes engines, which were a major question for the Penske team, dominated in Fittipaldi's car. He led for nearly the final three-quarters of the race except for pit stops and passed Unser with about 20 laps to go to become the only car on the lead lap.

Unser was battling with Fittipaldi to get back on the lead lap when Fittipaldi came out of turn 4 on the 2½-mile (4-km) oval and tapped the wall with the right side of his car.

Indy 500 rookie Jacques Villeneuve, son of late Formula One driver Gilles Villeneuve, finished second.

Hill wins Spanish Grand Prix

BARCELONA (AP) — Damon Hill of Britain wanted to take his time on the victory lap. He earned it after ending German Michael Schumacher's four-race winning streak yesterday at the Spanish Grand Prix.

"I took an extra slow lap to take it all in. There were a lot of Union Jacks around the circuit," Hill said.

Schumacher came in second, 24.166 seconds behind Hill's Williams-Renault. Mark Blundell in a Tyrrell-Yamaha took third, more than a minute behind.

Schumacher, who won the season's opening four races, said gearbox problems prevented him from performing at his best.

Hill's victory puts him into second place in the season's driver standings with 17 points. Schumacher is still far ahead with 46 points.

Braves trade Sanders to Reds

ATLANTA (Reuters) — The Atlanta Braves traded two-star shortstop Deion Sanders to the Cincinnati Reds for outfielder Roberto Kelly and minor league pitcher Roger Etheridge yesterday.

The 26-year-old Sanders, who also plays pro football for the Atlanta Falcons, hit .288 in 46 games for the Braves this season with four homers, 21 RBIs and a National League-leading 19 stolen bases.

In 1992, Sanders sparked controversy when he played in a Major League Baseball playoff game and a NFL regular-season game in the same day.

Sanders began his professional career in 1988 after the New York Yankees selected him in the 30th round of the June 1988 free agent draft out of Florida State.

The 29-year-old Kelly was hitting .302 with three homers and 21 RBIs in 47 games for the Reds this season. Kelly came to Cincinnati from the Yankees in a trade for outfielder Paul O'Neill prior to last season.

Knicks held to record low

Pacers put lid on Ewing in 88-68 win



INDIANAPOLIS (AP) — When they needed it, the Indiana Pacers got the same effort, played the same defense and got the same result New York gets when it plays at home.

The Pacers held Patrick Ewing to one point and New York to an NBA record-low for points Saturday, beating the Knicks 88-68 and leaving them with a 2-1 lead in the Eastern Conference finals.

New York has taken a 2-0 lead at home in its last six playoff series, only to lose Game 3 on the road each time. The Knicks have managed to win four of the previous five series, the only defeat last year's Eastern Conference finals to Chicago.

Ewing, averaging 30 points in the first two games of the series, missed all of his 10 shots and didn't score until he hit a free throw with 6:39 left. By then, the Pacers already led by 13 points.

"There are going to be days like this," Ewing said. "You hope there won't be too many. I was being doubled as soon as I touched the ball. But give them credit. They stepped it up."

Indiana coach Larry Brown said that in the first two games, the Pacers tried to play Ewing with one man, giving help "only if we were in real bad position. That didn't work, so today we tried to help our big men a little sooner. Also, he was in foul trouble, and it's tough to come back in the game when you're cold."

Derrick McKee broke out of a slump with 15 points for the Pacers, while Rik Smits and Reggie Miller scored 14 each.

John Starks and Charles Oakley scored 12 points each for the



HEADS-UP BALL — Pacers' Antonio Davis blocks a shot by Knicks' Derek Harper.

Knicks, 8-0 in the playoffs at home, but 1-5 on the road. Game 4 of the best-of-7 series will be today at Market Square Arena. The game will be televised live on Sports Channel 5 starting at 10:30 p.m.

By holding New York to 68 points, the Pacers wiped out their own playoff record-low of 69 set in a second-round loss to Atlanta.

NBA Playoff Glance

Finals (Best of 7)
EASTERN CONFERENCE
Saturday's result:
Indiana 88, New York 68
New York leads series 2-1

WESTERN CONFERENCE
Houston leads Utah 2-1

Last night's scheduled game:
Houston at Utah
Today:
New York at Indiana

Russian Jew burns up the track in Euro Cup

JOEL GORDIN

A RUSSIAN Jewish sprinter, who says he intends to make aliya this year, was the star of last night's European Cup track and field meet at Hadar Yosef Stadium. Alexander Porchomovski won the 100 meters in 10.37 seconds, equalling American Brian Cooper's 1987 all-comers Israeli record. The 22-year-old bettered the national mark of 10.52 set by Itai Iluz in 1988.

The leading clubs of the five nations: Israel, Byelorussia, Slovakia, Belgium, and Luxembourg — took part in the League C contest. Israel was represented by Maccabi Tel Aviv. The two winners — the clubs representing Byelorussia and Belgium — will be promoted to League B. Porchomovski was invited to take part as a guest by Maccabi Tel Aviv, the club he hopes to join. The lithe dark-haired runner last month finished fourth in the 60m in the European Indoor Championships. His best time for the 100m is 10.16 seconds.

If he does come here in October, as planned, he will not be eligible for next year's world championships, but will be able to represent Israel at Atlanta in 1996.

The powerful team from Byelorussia swept the board without opposition in most of last night's events. One of the best results was Hernandez Pronko's heave of 62.34m to win the discus, an effort which would have taken him into the Olympic final at Barcelona. Igor Avronin's Israeli record is 62.24m. Mark Dollendorf of Belgium won the 400-m hurdles in 50.20 seconds — a good time so early in the season.

Among the Israelis who put up creditable performances were Kfir Golan who came in second in the 100m (10.76) and won the 200m (21.48). Mark Malisov who won the long jump (7.84m). Sergei Lukashuk who came in second in the discus (59.53m) and Avronin who was second in the shot put (17.39m).

The European athletics championships for clubs was founded in 1975.

SCOREBOARD

SATURDAY'S NL RESULTS: New York 5, Cincinnati 4; Colorado 2 (10); Florida 3, San Francisco 2; Houston 7, Philadelphia 5; Chicago 9, Atlanta 2. SATURDAY'S AL RESULTS: Cleveland 4, Oakland 2; Toronto 9, California 4; Chicago 6, Baltimore 2; Milwaukee 7, Seattle 5; New York 5, Kansas City 3 (10); Boston 3, Texas 2 (10); Minnesota 10, Detroit 9 (10).

Illingworth names 3 new caps

LONDON — New chairman of selectors Ray Illingworth named his first Test squad yesterday, choosing three uncapped players and retaining only five from the team that played the final match in the West Indies.

All-rounder Craig White, left-handed spin bowler Richard Stemp and wicket keeper Steve Rhodes are the new faces in the squad to play New Zealand at Trent Bridge on Thursday.

All three have Yorkshire connections. White, 24, was born in the county but was raised in Australia and represented that country at youth level. The right-handed batsman and spin bowler returned to England and made his Yorkshire debut in 1990.

Stemp, 26, joined Yorkshire from Worcestershire in 1993, while 29-year-old Rhodes has been with Worcestershire since 1985 after playing for Yorkshire from 1981-84.

Illingworth's squad includes only five specialist batsmen, including former captain Graham Gooch. England's all-time highest run-scorer in Test cricket, who skipped the disappointing tour of the West Indies.

Captain Mike Atherton, Alec Stewart, Robin

Smith and Graeme Hick have been retained. Seamer Angus Fraser also keeps his place.

There are also recalls for left-handed paceman Mark Ilett, Derbyshire all-rounder Phil De Freitas and Essex spinner Peter Such, none of whom traveled to the West Indies. Fast bowler Devon Malcolm, who missed the last Test, has also been named.

Illingworth said the unavailability of injured pacemen Andy Caddick, Darren Gough and Chris Lewis, plus spinner Phil Tufnell's absence from the game due to personal problems, had given the other bowlers their chance.

Meanwhile, Pakistan and Sri Lanka will join New Zealand in South Africa in December for a quadrangular one-day cricket tournament to be called the Mandela Trophy.

"The United Cricket Board of South Africa (UCBSA) is associated fully with the new South Africa and we believe we should be doing something special this summer to celebrate its birth," chief executive Ali Bacher said.

"We have called it the Mandela Trophy due to the President's massive contribution in creating the new South Africa."

(AP, Reuters)

Burnley promoted to Division One

WEMBLEY (AP) — Fullback Gary Parkinson scored the winning goal, giving Burnley a 2-1 victory yesterday and a place in Division One next season after Stockport had been reduced to nine men.

Parkinson netted in the 65th minute of the Division Two playoff final, shortly after Stockport's Chris Beaumont had been given

the red card for stomping on Burnley fullback Les Thompson. Stockport defender Michael Wallace had been sent off, also for stomping in the first half.

Burnley, which finished sixth in the division, will be in Division One next season along with automatic qualifiers Reading and Port Vale. Stockport finished fourth in the league.

Beaumont gave Stockport the lead in the second minute in front of 44,806 fans at Wembley Stadium. David Eyres equalized for Burnley in the 28th.

The victory continued Burnley's 1990s revival. The team almost dropped out of the Football League in 1987, but now claims a spot in one of the top two divisions for the first time since 1983.

Hasaot Benny wins big

LARRY LEVENBERG

AN incredible 33 hits — six of them homers — gave streaking Hasaot Benny a 39-5 win over Glomar Verticals in this weekend's Jerusalem Post Softball League action. The victory puts Hasaot's record to 8-1 and keeps Glomar winless this season.

While Hasaot's sluggers enjoyed batting around the order more than once in some innings, steady pitching by winner Earl Harrow prevented Glomar from ever making it close.

For the winners, Harrow helped his cause with two home runs, while Bernie Kaffel, Ed Harrow, Sammy Fenner and Dov Rubinfeld each chipped in with four-baggers of their own.

For Glomar, David Gilor went 3-for-3, including an inside-the-park homer and two RBIs. Pasta La Pizze 20, Apple Pizze 5. Marc Meyerfield led the dominant Pastas with five RBIs in this pizza-fest. Richard Duffy and Ari Brown had three hits apiece.

For Apple, Larry Silverman went 3-for-3.

Zionlours 16, Kalia Pizze 2. Wayne Morrow picked up his fifth straight win in this lopsided match-up. Shelly Gordon went 2-for-2 with four RBIs and Stan Schirger had two homers.

Lachish Tours 16, Arch. Seminars 9. Howie Hirsch had a homer and Danny Marcus had four hits for the victors.

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Average wage drops in first quarter

THE average monthly gross wage fell 1.4% during the first quarter of the year compared with the previous quarter, the Central Bureau of Statistics reported yesterday.

The average monthly wage in March was NIS 3,660, not adjusted for inflation. Most sectors of the economy paid lower wages, adjusted for inflation, than in the previous quarter.

Only a few sectors paid higher wages. Wages rose 5.8% in the electric and water sector, followed by a 5.2% hike in the transportation, storage and telecommunications sector. Agriculture placed a distant third with an increase of 0.7% compared to the previous quarter.

On the brighter side, wages rose 1.4% compared with the first quarter of 1993. Moreover, the number of salaried positions shot up by 135,000 or 7.9%, reflecting the healthy pace of

JOSE ROSENFELD

job creation which, with declining immigration, has recently translated into lower unemployment.

The largest number of jobs were created in the financial and business services sector, which added 33,000 new positions in the first quarter. It was followed by the trade and food services sector, which created 27,000 jobs.

The electric and water sector paid the highest average wage of NIS 7,430, more than double the overall mean. By contrast, agriculture paid the lowest wages at NIS 2,291, or about two-thirds of the national average.

The following sectors paid wages higher than the national average: transportation, storage, and telecommunications, NIS 5,904; industry, NIS 4,299; financial and business services,

NIS 3,766; and construction, NIS 3,737.

By contrast, these sectors paid less than the national average: trade and food services, NIS 3,320; public and communal services, NIS 3,161; and personal services, NIS 2,770.

When wages of workers from the territories are included, last quarter's 1.4% increase over the same period in 1993 rises to 2.4%.

The more moderate wage increase when excluding territory workers accounts for the lower pay new Israeli workers received compared to the national average. However, when territories' workers' salaries are included, average wages rise more dramatically since the Israeli workers that replaced them were paid better. That factor can be seen dramatically in the construction sector, where wages, excluding territory workers, rose 5.7%, while those including them jumped 12%.

Jobless under 45 may have to take any job offered

EVELYN GORDON

THE government is considering forcing all unemployed people younger than 45 to accept any job offered, on pain of losing their unemployment compensation.

Alex Faran, director-general of the Employment Service told the Knesset state control committee yesterday.

Currently, only people under 35 must accept any job offered. Others are only required to take jobs in their field, at a salary similar to that in their last position.

Faran told the committee the government is considering the change to reduce the number of people receiving unemployment compensation, and to ease manpower shortages in the construction and agriculture industries.

However, chairman David Magen (Likud) warned that raising

the cut-off age might result in many older people being forced into hard physical labor, which they are unable to handle. He suggested the Employment Service consider a modified criteria, which would require only the physically fit between 35 and 45 to accept such jobs.

Magen also asked the state comptroller and registrar of cooperative associations to investigate a phenomenon revealed by a complaint to the comptroller in her role as ombudsman.

According to Magen, there are often majority and minority factions within agricultural cooperatives, and the majority sometimes prevents members of the minority from earning a living by not giving them a share in the association's production quotas.



Milton Shapiro, newly elected president of Jewish National Fund-America, addresses the World Conference of JNF Leaders in Jerusalem last night.

JNF delegates upset at Likud's Peled being named co-chairman

BATSHEVA TSUR

MORE than 200 delegates from the Jewish National Fund worldwide convened in Jerusalem yesterday to discuss "The JNF Towards the 21st Century," but in the corridors, many of the delegates were whispering about the appointment of the new co-chairman, Yona Peled.

Peled, the Likud's appointment to the co-chairmanship of the JNF, is facing charges before a Tel Aviv court of fraud during the Likud party elections. He was chosen for the chairmanship two years ago, before it became evident that he was involved in the scam.

"The trial is the result of a wide-

ened perception by the Attorney-General's Office in connection with increasing the responsibility of directors of non-profit organizations," Peled said. "The subject under discussion is a political question connected with party funding and the responsibility for various reports. None of the complainants has a direct personal complaint against me and in a similar case recently, the defendant was found not guilty. Unfortunately, there is no way to expedite the legal proceedings so that my innocence will be proven before

all." A delegate from South America, who spoke on condition of anonymity "so as not to rock the boat even further," said that it was incomprehensible why Peled had been appointed while a court case is pending against him.

"Peled was elected co-chairman by the Likud Party machinery. We have no comment," JNF spokesman Moshe Cohen said.

But one of the delegates thought differently. "How can a man who allegedly misused funds deal with a budget of NIS 512 mil-

lion? Much of the money comes from fundraisers abroad, and we are incensed," he said.

Nevertheless, when outgoing co-chairman Mordechai Dayan presented Peled as his replacement, there appeared to be no overt dissatisfaction in the hall.

JNF Board Chairman Moshe Rivlin blasted the delegates for the reduction in contributions from all over the world saying: "Three years ago, at the 1991 conference, you promised to double contributions. We doubled our investments and tripled the work we have carried out, and we need your support to continue."

Police probing IDF Spokesman for violating court order

YIGAL KOTZER

HAIFA police have opened an investigation into the IDF Spokesman's Office and other security services suspected of violating an order prohibiting the publication of the names of Ataf and Majad Kabbeh, of Barta'a, both suspected of involvement in the terrorist bombing in Hadera's central bus station.

The order had been issued by a Haifa Magistrates Court judge at police request.

Two days after the order was issued, the names of and details about the two were printed, and Itim's Haifa correspondent Meir Shoshani appealed the ban, arguing that reporters who were

observing it were being penalized. He said the IDF Spokesman had issued a press release containing the forbidden information.

Judge Yosef Elron, who heard the appeal, expressed surprise at the ban's violation, and ordered police to begin an investigation.

Yesterday, Superintendent Shoshani Marcowitz, who was named to head the investigation, contacted Inspector-General Assaf Hefetz to get his approval to call the relevant IDF officers and security officials in for questioning.

Gay group blasts anti-homosexual ad

Jerusalem Post Staff

THE Association for the Protection of Personal Rights of Homosexuals, Lesbians and Bisexuals yesterday condemned an advertisement that appeared in Friday's *Jerusalem Post*, which demanded that Yad Vashem cancel today's planned ceremony to honor gays who perished in the Holocaust.

The condemnation, backed also by the World Congress of Jewish Homosexual Organizations, urged the public to attend the ceremony, being held this afternoon at 3 p.m. The ad, placed by a rabbinic group called the Bet Din Elyon of America,

said the ceremony "desecrates the memory of Kedoshim [marry]...," and said that Yad Vashem, by holding it, would be "committing a terrible travesty."

Failure to cancel it, the ad continued, "would result in a worldwide boycott against Yad Vashem."

Yad Vashem said in response yesterday that it did not sponsor or initiate today's ceremony, and that "Yad Vashem is open to any individuals or groups who wish to place a wreath in the Memorial Hall... to honor their dear ones."

Radioactive waste discovered at Ramat Hovav

A NUMBER of containers carrying radioactive waste were discovered over the weekend at the Ramat Hovav toxic waste dump, which is not equipped or authorized to handle this type of waste.

The containers, like the two discovered at the site earlier this month, came from Beersheba's Soroka Hospital. All radioactive waste is required to be disposed of at the Negev Nuclear Research Center in Dimona.

The ministry has started investigating the matter. Today, the minister is holding a meeting to launch a comprehensive inquiry into the handling of radioactive waste at all the country's hospitals.

The waste usually comes from radioactive diagnostic materials.

EBU blasts Jordan for barring Israel from parley

LIAT COLLINS

THE executive committee of the European Broadcasting Union (EBU), which met in Warsaw last week, condemned Jordan for not allowing Israel to participate in an EBU conference on technical issues, held last week in Amman.

At the Warsaw meeting, attended by Israel Broadcasting Authority director-general Mordechai Kirschenbaum, EBU president Albert Scherf strongly attacked the Jordanians and said that in future, EBU members will not be allowed to hold EBU meetings if they do not promise in advance to permit all member countries to attend without political or other limitations.

During his visit to Warsaw, Kirschenbaum signed a cooperation agreement with the Polish Television and Radio Authority on documentaries, music, culture and arts programs.

Kirschenbaum said the IBA placed great importance on the agreement. "As a state broadcasting body, the IBA intends to deal with documentaries on 'roots,'" he said. "The treaty will greatly facilitate the production of films and permit access to documents and places that can contribute to preserving the history of Polish Jewry."

An Israel Television film crew is currently in Poland to shoot a film about the composer and conductor Krzysztof Penderecki. The film is a joint ITV-Polish Television project.

Channel 2 Authority files response to broadcasters seeking to be ad spokesmen

LIAT COLLINS and Itim

THE Second Television and Radio Authority yesterday filed its response to the High Court petition by radio host Alex Anski and six other media personalities who want to be allowed to appear on television commercials on the New Channel 2.

In the statement filed by Dr. Dina Goren, head of the authority's ethics committee, the authority claimed that reporters and presenters of current affairs programs are portrayed as people who represent reality and their voices come to signify reality.

"Therefore using their voices on commercials could either consciously or subconsciously mislead the public," Goren said. She also said there could be a conflict of interests if one of the news readers receives payment for something which he or she has to cover as a story.

The seven reporters and show hosts have demanded in two separate petitions that the authority cancel Clause 24 of its Code of Ethics, which completely bans news and current affairs journalists from participating in any way in television commercials.

The petitions were filed after the Second Channel Council, the public body which supervises the

station, rejected advertisements for cleaning materials, coffee and mattresses, among other items, because of the product's spokespeople.

Anski, the first to petition the High Court in March, claims that the ban infringes the basic right to freedom of occupation. Anski has refused to discuss the case further while it is *sub judice*.

Micha Limor, the authority's deputy director-general, said in his statement that any sweeping claims that journalists can participate in commercials is a flagrant violation of professional journalistic ethics. He said the claim of freedom of occupation does not stand up against the interests of protecting the consumer. Having journalists in commercials blurs the distinction between objective reporting and editorial material and advertising, which is not regulated by the same ethical principles, Limor said.

"Can Alex Anski report in the same intensive way, in his program, on the trial of bank directors or the investigation into the handling of a bank's mutual funds securities when he has a long-term contract to appear in the advertising campaign of that same commercial bank?" Limor asked.

Court concurs with A-G's decision to clear lawyers

EVELYN GORDON

ATTORNEY-General Michael Ben-Yair's decision not to file criminal charges against attorney Dov Weisglass and Ya'acov Ne'eman is reasonable, the High Court of Justice said yesterday, responding to a petition by *Globe* journalist Yotam Yitzhak.

The two attorneys had represented Yitzhak's opponent in a suit filed in Jerusalem District Court, which ended in a decision to take the matter to arbitration instead. Consequently, the attorneys asked for a refund of the NIS 25,000 court fee they had paid on behalf of their client.

However, Yitzhak claimed, the arbitration never took place, and the request for the refund was therefore fraudulent.

Yitzhak consequently asked the attorney-general to open criminal proceedings against the two attorneys. He also asked the Israel Bar Association's Tel Aviv office to file disciplinary charges against them. However, both the attorney-general and the bar declined to accede to Yitzhak's requests.

Justices Dov Levin, Gavriel Bach and Tova Strasberg-Cohen ruled that the attorney-general's decision was reasonable, and there was no reason for them to intervene.

Ex-employee suing El Al for NIS 17m

YIGAL KOTZER

A FORMER El Al employee, completely disabled in a work accident, is suing the airline and its insurance company for NIS 17 million in Haifa District Court.

Albert Yifrah, 50, of Lod, who headed an aircraft clean-up crew, contends that he was readying a plane for a flight three years ago. A truck brought a large garbage bin and raised it to the level of the door, and then the driver left. Afraid of damaging the plane if he attempted to lower the bin hydraulically, Yifrah tried to move the bin himself. As a result, it fell on him.

Both of his legs were amputated, and he lost the use of both arms as well. He is seeking compensation for his injuries, loss of income, medical care and a new house for himself and his wife.

El Al maintains that the accident was a direct result of Yifrah's own negligence, irresponsibility and failure to obey safety regulations. Moreover, it argues that the damage caused him should not be valued at NIS 17m., but NIS 5m.

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